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# **RAJASTHAN RULES COMPENDIUM**

( IN 16 VOLUMES )

( 1949 TO 1967 )

*By*

**VYAS & BAFNA**



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( 1949 to 1967 )

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*Rules and Notifications under*

TENANCY ACT, 1955.  
( RAJ. ACT No. 3 OF 1955 ).

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## RAJASTHAN TENANCY (GOVERNMENT) RULES, 1955

1. Rule 6 A has been added vide Revenue Department Notification No. F.6(63) Rev.B/59 dated November 5, 1959, published in Rajasthan Raj-patra, part IV(c) dated December 31, 1959.

2. Figure "3" in rule 25(c) has been substituted for figure "3½" vide Revenue (D) Department Notification No. F. 7(94) Rev. B/57 dated January 15, 1960, published in Rajasthan Raj-patra, part IV(c) dated January 16, 1960.

3. Sub-rule 4 of rule 35 and Form 'cc' have been added vide Revenue (B) Department Notification No. F. 6(50) Rev. B/58 dated May 13, 1960 published in Rajasthan Raj-patra, part IV(c) dated May 19, 1960.

4. Notification No. F. 6.(32) Rev./B/61 dated October 11, 1961, published in Rajasthan Raj-patra, part IV(c) dated November 9, 1961 has effected following insertions, omission and additions:—

(a) In rule 8, after figure "3½" the figure and brackets (1) have been inserted.

(b) Rule 8 A has been added.

(c) In rule 10, words "a copy of the notice shall also be sent for the information of the Gram Panchayat, if there is one" previously occurring at the end have been now been omitted.

(d) In rule 11, after the word and letter "Form B", the words, letters and figures "in respect of an application under rule 8" and in Form BB" in respect of an application under rule 8A" have been inserted.

(e) Previous rule 13 has renumbered as sub-rule (1) of rule 13 and present sub-rule (2) of rule 13 has been newly inserted.

(f) Clause (d) of rule 15 and Forms "AA" and "BB" have been newly added.

(g) In Form 'A', before the words "has applied" the words "who claims to be an agricultural worker/artisan and to have been permanently residing in.....village for.....years/a tenant" have been inserted.

5 Through Notification No. F-7(94) Rev./B/57 dated June 16, 1959, published in Rajasthan Raj-patra, part IV(c) dated July 16, 1959. Last twenty words "when such leases or counter parts relate to a tenancy and stipulate for rent not exceeding rupees one hundred annually" occurring at the end of rule 19 have been omitted.

## RAJASTHAN TENANCY (GOVT.) RULES, 1955.

## REVENUE DEPARTMENT

In pursuance of clause (3) of Article 348 of the Constitution of India, His Highness the Rajpramukh, is pleased to authorise the publication of the following translation in the English Language of the Rajasthan Tenancy (Government) Rules, 1955.

## NOTIFICATION.

Jaipur, November 1, 1955.

No. F. 1 (37) Rev-B/55—In exercise of the powers conferred by section 257 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), the State Government has made the following rules, the same having been previously published as required by section 259 of the said Act.

P. N. KAUL,

Secretary to the Government.

*Notes*

Section 257 of the Raj. Tenancy Act, 1955 authorises the State Government to make rules for the purpose of carrying into effect the provisions of the Act. In particular and without prejudice to the generality of this power such rules are required to provide for all or any of the following matters, namely:—

- (i) the fees payable under this Act;
- (iii) the attestation of leases, counterparts and agreements;
- (v) any matter which, under any provisions of this Act, is required to be, or may be, prescribed, or for which, by any such provision, rules are required to be, or may be, made, by the State Government.

## CHAPTER I

## Preliminary.

1. *Short title and commencement.*—(1) These Rules may be called the Rajasthan Tenancy (Government) Rules, 1955.

(2) They shall come into force at once.

2. *Interpretation.*—(1) In these Rules, unless there is something repugnant in the subject or context, 'the Act' means the Rajasthan Tenancy Act, 1955, (Rajasthan Act 3 of 1955).

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*These rules have been first published in Rajasthan Raj-patra dated December 17, 1955 part IV (c) at page 464.*

than one village, he should give particulars of all his holdings and should indicate the village in which he wishes to enjoy the concession allowed by section 31 (1) of the Act. The applicant should also state clearly in the application that he does not possess a house in the abadi of the village in which he wants the house-site.

"8A. *Application for site for residential house by agricultural worker or artisan.*—An application for house-site by an agricultural worker or artisan under sub section (2) of section 31 of the Act shall be in Form AA.

9. Each application received should be registered as a separate case and a report should be called for from the patwari of the Halqa, as to the correctness of the statements made in the application and the availability or otherwise of the site, applied for.

10. The fact that an application has been made for a particular site shall be published in the village by beat of drum (at the expense of the applicant) or public announcement, and a notice in Form A should be posted up at the village Chopal and at the site applied for, for a period of 15 days.

11. Before the end of the period specified in the foregoing rule, the patwari shall submit a report in Form B [in respect of an application under rule 8] together with the notice, as published, and a certificate of its publication, duly signed by himself and the Patel or Lambardar of the village, and a regular map and Khasra of the site.

12. The patwari should prepare a map of the site to the granted showing directions the adjoining buildings and measurements connecting the site with any permanent or semi-permanent marks in the neighbourhood. All these measurements must be entered in the plotted sketch which must clearly show the scale on which the plot has been made. Rough pencil sketches which are not on scale should not be accepted.

13(1) If any objections are received, the Tehsildar, or the village Panchayat, as the case may be, should hear and dispose of these objections first, and if no objections are received the Tehsildar, or the village Panchayat, as the case may be, should dispose of the case by a written order.

"(2) In the case of applications under sub-section (2) of section 31 of the Act and rule 8A, an enquiry shall be made as to whether the applicant is an agricultural worker or an artisan within the meaning that sub-section and has been permanently residing in the abadi of the village for ten years or more."

14. Land within one hundred yards of railway fancing or within fifty yards of roads maintained by the Government shall not be allotted for house-sites to tenants. Land within a radius of 12 miles from the Municipal limits of Jaipur City, and land situated within a radius of five miles of a town, should not be allotted without the sanction of the Commissioner.

15. House sites free of premium (Nazrana) shall be granted at the following scale:—

(a) to a tenant paying rent of Rs. 100 per or more	....	Not exceeding 250 sq. yards
(b) to a tenant paying rent between Rs. 50 and Rs. 100/- p.a.,	....	Not exceeding 200 sq. yards
(c) to a tenant paying rent below Rs. 50/- p.a.	....	Not exceeding 150 sq. yards.
“(d) to an agricultural worker or artisan		Not exceeding 150 sq. yards.”

16. Where there are trees on the site applied for, their value as fixed by the Tehsildar, or the village Panchayat as the case may be, should recovered from the applicant before he is put in possession of the site.

17. The value of any building, wells, etc. on the land Should also be Similarly collected.

## CHAPTER IV

Rules to give effect to the provisions of section 32 of the Act.

### Notes.

Sub-section (1) of section 32 of the Act requires that every tenant shall be entitled to receive from his landholder a written lease consistent with the provisions of the Act in the prescribed form and containing the prescribed particulars, Rule 18 prescribes these requirements Rules 19 to 24 prescribe the manner of attestation of such leases as required in sub-section (2) of section 33 of the Act. Section 33 of the Act reads as under:—

(1) Notwithstanding anything contained in the Indian Registration Act, 1908 (Central Act XVI of 1908), the parties to a lease may, in lieu of registering the same, obtain the attestation thereto of such officer or person as the State Government may appoint in this behalf.

2 Such officer or person may, after making such inquiry as may be prescribed, attest the instrument of lease in the prescribed manner:

Provided that no such instrument shall be accepted for attestation unless presented within four months of its execution :

Provided further that nothing contained in this sub-section shall apply in respect of leases granted by or on behalf of the State Government.

3 An instrument so attested shall be deemed to be registered within the meaning of the Indian Registration Act, 1908 (Central Act. XVI of 1908).

18. *Form of leases and their counterparts.*—All leases and their counter-parts shall be in Form C and shall contain all the particulars mentioned therein.

Rules to give effect to the provision of section 33 of the Act.

19. *Attestation of leases in lieu of Registration.*—The following procedure shall be observed for attestation, under section 33 of the Act, of leases, or counter-parts, required to be made by registered instrument.

20. In exercise of the power conferred by sub-section (1) of section 33 of the Act, the State Government hereby appoints every revenue court and every revenue officer, not inferior in rank to an inspector of land records, within the local limits of whose jurisdiction the whole or some portion of the land to which a lease or counter-part relates is situated, to be the authority competent to attest such documents.

21. *Form of Attestation.*—The endorsement required by sub-section (2) of section 33 of the Act shall be, as nearly as may be, in the following form:—

This document was presented before me on the .....  
day of ..... ..in the year.... ..by the person/  
persons specified below. I have satisfied myself as to his/their  
identity and his/their acquaintance with, and assent to, the terms  
of the document.

Execution is admitted by (name)

son of.....

caste .....

profession.....

resident of .....

and (name).....

caste.....

profession.....



resident of .....

who is/are personally known to me;

OR

who is/are identified by (name)

son of .....

caste.....

profession.....

resident of .....

and (name).....

son of.... ..

caste .....

profession.....

resident of . ....

who is/are personally known to me;

OR

who is/are identified by (name) .....

son of.....

caste.....

profession of.....

resident of.....

who is/are of apparent respectability.....

Date of attestation.	Signature of the executant or executants.	Signature or thumb impression of the witnesses.	Signature of the attesting officer or court.
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23. *Persons who may present document.*—Every document to be attested shall be presented in person by the executant himself or by his agent, representative or assign, duly authorised by power of attorney executed before and authenticated by a Registrar or Sub-Registrar in India.

23. *Entries to be made by Inspector of Land Records.*—If the attestation is done by an Inspector of Land Records, he shall note in his register of attested documents (in the form given below) the date of presentation of the document, the nature of the document, and the name and address of the executant of the document and

shall also note the fact of attestation in his diary. If he is not satisfied as to the identity of the executant or his acquaintance with and assent to, the terms of the document, or if execution is not admitted by him, he shall refuse to attest it, and shall enter in his diary the date of presentation, the nature of the document, the name and address of the executant, and the reason for his refusal.

### REGISTER OF ATTESTED DOCUMENTS

(See Rule 23 of the Rajasthan Tenancy (Government) Rules).

S. No.	Date of presentation of document.	Nature of document.	Name and address of executant	Name of attesting Inspector, Land Records.	Signature of attesting Inspector Land Record.
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24. Where a document has been executed by more than one person on different dates, it shall be deemed, for the purpose of presentation for attestation within the time prescribed by the first proviso to sub-section (2) of section 53 of the Act, to have been executed when the last executant signed it.

### CHAPTER IVA

Prescription of minimum areas for the purposes of sub-section [1] of section 53 of the Act.

#### Notes.

This chapter alongwith rule 24 A has been newly inserted vide Revenue Department notification No. F. 1. (170) Rev-D/59 dated February 4, 1957, published in Rajasthan Rajpatra part IV (c), dated 21/2/1957 at page 842.

This rule prescribes the minimum area as required under sub-section (1) of section 53 of the Act which provides that;

No holding shall be divided so as to result in holdings of less area than the minimum prescribed by the State Government for each district or part of a district,

24A. The minimum areas for the purposes of sub-section [1] of section 53 of the Act shall be one fifth of the minimum areas fixed for each district or part of a district for purposes of clause [a] of section 180 and given in rule 66 and the schedule there to.

*Notes.*

The words 'one fifth has been substituted for the original word 'one-tenth' vide amending notification No. F. 1. (170) Rev. B/56 dated 6/5/58 published in Rajasthan Rajpatra dated 29/5/58 part IV(c)

## CHAPTER V.

Rules to give effect to the provisions of section 84 of the Act.

*Notes.*

Any person desiring to remove, otherwise than in accordance with sub-sections (1), (2), (3) and (4) of section 84, any trees which vest in him or are his property or are in his possession may do so under a licence to be granted on an application by the Tehsildar. Rule 25 prescribes the fee for the issue of such licences.

25. The fee for the issue of licences under sub-section [5] of section 84 of the Act shall be as follows:—

[1] Special licence.—Nil.

[2] General licence.—Anna one per tree or Rs. 5/- per acre, whichever is less.

## CHAPTER V-A

Rules to give effect to the provisions of sections 98, 99, 100 and 104.

*Notes.*

This chapter alongwith rules 25A, 25B, 25C and 25D has been newly added vide amending notification No. F. 7 (94) Rev. B/57 dated 6/5/58 published in Rajasthan Rajpatra dated 12/6/58 part iv (c).

Rules in this chapter prescribe the matters as required under sections 98, 99 100 and 104 (1) of the Act. These sections read as under:—

98. In areas where land revenue has been settled and rent is payable by tenants in cash, the maximum rent recoverable by an estate-holder shall be prescribed by the State Government keeping in view the amount of land revenue and other agricultural conditions and shall not be more than three times the amount of such land revenue.

99. In areas where rent has been settled and sub tenants pay rent in cash, the maximum rent recoverable by a tenant from his sub-tenant shall be prescribed by the State Government so that it does not exceed twice the amount payable by such tenant.

100. Notwithstanding anything contained in sections 98 and 99 the amount of cash rents payable in respect of a holding in an urban area or payable to a widow, a minor a disabled person or a student who is below 25 years of age and is studying a recognised institution may extend to one and a half times of the maximum which may be prescribed under the said sections.

*Explanation* —Urban area in this section means an area consisting of Abadi as well as agricultural lands within two miles of a town with a population of not less than 15,000 persens.

104. (1) Notwithstanding any contract custom usage or practice to the contrary where rents are payable in kind the maximum recoverable from a tenant by the landholder shall not exceed one-sixth of the gross produce thereof for each harvest:

Provided that the State Government, may from time to time by notification in the Rajasthan Gazette, determine the excess over the maximum rent in kind prescribed the under this section payable as rent by a sub-tenant to any of the persons mentioned in clauses (a), (b), (c), (d), (e), and (h), of sub-section (I) of section 46.

*Explanation*.—The expression gross produce in the sub-section does not include the straw chaff (*bhusa*) or the dry stalks of crop, or grass or any other natural produce like *pala*, *ioong pani* or *phadi*.

5.—A. *Maximum rent where the land revenue is settled*.—Subject to the provisions of rule 25-C, wherever land revenue has been assessed in cash by settlement upon estate-holders and rent is payable in cash by the tenants of such estate holders and such rent has not already been assessed in cash by the Settlement Department or fixed by a decree or order of a competent court, the rent to be charged by the such estate-holders from such tenants shall not exceed two times the amount of such land revenue.

25-B *Maximum rent in areas where rent has been settled*.—Subject to the provisions of rule 25-C, wherever rent is payable by tenants has been determined in cash by settlement and rents are payable in cash by sub-tenants but the cash rent by such payable sub-tenants to the tenants in chief have not been determined by the Settlement Department or fixed by or under a decree or order of a competent court, the rents to be charged by the tenants-in-chief from their sub-tenants shall not exceed two times the amount of rent so assessed or fixed.

25-C. *Higher maximum in certain cases*.—Where the estate holder or the tenant who sublets is a widow or a minor disabled person or a student who is below 25 years of age and studying in a recognised institution, the rent to be charged from the tenant by such estate-holder or from the sub-tenants by such tenant in chief may extend, in the case of the estate-holder to 3 times the assessed land revenue, and in the case of a tenant who sublets to 3 times the assessed rent.

25-D *Maximum rate of rent in kind*.—Where rents are payable in kind the maximum rent in kind payable by a sub-tenant to a minor or a lunatic, or an idiot, or a woman who is unmarried or divorced or separated from her husband or is a widow, or a person incapable of cultivating his holding by reason of blindness or other physical disability or infirmity, or a person not exceeding 25 years of age who is a student prosecuting his studies in a recognised may extend to 1/4th of the gross produce.

## CHAPTER VI.

Rules to give effect to the provision of section 126 of the Act.

### Notes.

Section 126 of the Act provides that:—

On the occurrence of a famine or scarcity in any area or of an agricultural calamity affecting the crops of any area, the State Government or any authority empowered by it in this behalf may in accordance with rules made by the State Government in that behalf remit or suspend for any period the whole or any portion of the rent payable by a tenant in such area.

26. Agricultural calamities are of two kinds (1) wide-spread and (2) local. Famine and drought are considered wide spread, while frost, rust, hail, locusts and flood are generally local, affecting a limited area. On the occurrence of an agricultural calamity, relief is given either by suspension or by remission of rent.

27. *Principles for deciding whether suspension or remission should be recommended.*—Suspension will ordinarily be sufficient in the case of a calamity affecting the Kharif. But when the calamity is exceptionally severe, or when the economic condition of the people has been reduced by previous crop failures, or when the Kharif is the main or exceptionally important crop, remission of rent be recommended.

When calamities affect the Rabi, remissions should ordinarily be proposed. The reason, why suspension and not remission is ordinarily granted on the occurrence of an agricultural calamity affecting the Kharif, is that Kharif (save cotton) is generally composed of the food crops of the people, while the Rabi consists of the cash or rent paying crops. It is therefore necessary to consider the relative importance of the Kharif and Rabi harvests, in determining the extent of relief by way of suspension or remission of rent.

28. *Promptitude essential.*—Relief should be related as closely as possible to the loss suffered by individuals, but promptitude in the issue of orders is of far greater importance than meticulous accuracy in the estimation of loss. Particularly when the area which has suffered loss is large, small differences in the loss suffered by different crops should be ignored and an average rate of loss assumed.

29. *Scale of relief.*—The relation between the relief to be given in rent and the loss on the holding calculated, is given in the following table:—

<i>Loss measured in annas per rupee of normal produce.</i>	<i>Relief in rent, per rupee.</i>
1. less than -/6/- . . . . .	Nil.
2. Amounting to -/6/- but not amounting to -/8/- . . . . .	-/4/-
3. Amounting to -/8/- but not amounting to -/10/- . . . . .	-/6/-
4. Amounting to -/10/- but not amounting to -/12/- . . . . .	-/8/-
5. Amounting to -/12/- . . . . .	-/10/-
6. More than -/12/- . . . . .	-/16/-

In the case of holdings the rent of which is payable by division of the produce or is based on appraisement of the standing crops, relief generally is not given.

30. *Principles for deciding whether suspended amount should or should not be collected.*—The following principles should guide the Collector in deciding whether a suspended amount of rent falling due for collection should be collected or not:

(a) Suspended rent should be recovered as soon as the circumstances of the people and the out-turn of the harvest permit.

(b) As soon as the prospects of the harvest at which the collection of suspensions has been provisionally proposed, are suffi-

ciently clear, the Collector should determine the amount of arrears which he can collect with the harvest and should report his proposals to the Commissioner.

(c) In making this report the Collector should be guided by the nature and the extent of the calamity on account of which relief was given, the character of the harvest about to be reaped, and the condition of the people.

[d] When the crops of the harvest to which the suspended rent have been carried forward are themselves below normal, remission of the suspended amount may be recommended in whole or in part.

[e] After three full years have passed since the amount was originally suspended, a report should be made for its remission.

*Inspection and estimates of damage.*

31. *Necessity of constant watch over crop conditions.*—It is the business of revenue officers and in particular of Collectors and Sub-Divisional Officers closely to watch the state of the crops in the areas committed to their charge. It is only by paying continuous attention to the weather and other conditions which affect the crops from the time of sowing to the time of harvest, that it is possible to take action to give relief with the necessary promptness. Inspections of crops must therefore not be confined to harvest time or delayed until it is rumoured that the crops have failed. During their rainy season and cold weather tours, revenue officers must make constant inquiries as to the crop prospects and must make a point of visiting those areas in which there is a possibility of crop failure.

It is the duty of all subordinate revenue officials to report cases of crop failure promptly to their superiors and it is the duty of the Collector and Sub-Divisional Officers and Tehsildars in cases in which they cannot make sufficiently detailed inquiries themselves to call for detailed reports from their subordinates. Government and Commissioners must be kept in touch with the agricultural situation through Collector's fortnightly demi-official letters. Commissioners themselves should, if there is expectation of an extensive calamity, arrange to visit the area affected.

32. *Special inquiries.*—When it appears that relief to the cultivators will probably be necessary, the Collector should arrange for a special inspection of the area affected and should, unless the area damaged is very small, himself inspect the area. If the area is large it will generally be impossible for the Collector to make a detailed inspection himself. In such a case it will generally be expedient to have detailed village inspections done by Inspectors of Land Records and Naib-Tehsildars and to have their work checked by Tehsildars and Sub-Divisional Officers. Reports should at this stage not be called for from patwaris. The Collector should himself carry out a sufficient check of the work of his subordinates to enable

him with the knowledge he has obtained from watching the crops since they were sown to satisfy himself of the accuracy of the reports which he has received or to correct these reports. The Collector should be able, when issuing instructions for detailed inspection of an affected area, to indicate the general lines on which he wishes that inquiry to proceed and the points on which he wishes for detailed information. It is useful especially in the case of extensive damage, for the Collector to hold a conference of the Sub-Divisional Officers and Tehsildars concerned at which final conclusions can be reached as to the extent and nature of the damage. The preparation of maps showing the villages affected and the comparison of the maps of one tehsil with the maps of neighbouring tehsils is a valuable check to ensure that no area, where relief is necessary has been left out and that relief will be given on the same principles throughout the district.

33. *Classification of fields and estimate of loss.*—(1) It is impossible to base the relief given to cultivators on estimates of the damage caused to individual fields and no attempt should be made to do so. Estimates of damage must be made for classes of fields as a whole and not for individual fields. The classification of fields for this purpose must depend on the nature of the calamity. It may be that the loss is uniform over the unirrigated fields and that the loss, if any, in the irrigated fields is also uniform, in which case it will be necessary only to make for each village an estimate of the loss on the irrigated fields as a whole and on the unirrigated fields as a whole. In other cases the loss may vary according to the crop. If so, it will be necessary to make for each village an estimate of the loss on each crop. It may also be necessary to distinguish not only between crops, but also between irrigated and unirrigated fields of the same crop. In other cases, such as hail or flood, a part only of a village may be damaged or different parts may be damaged to different extents. In such a case it will be necessary to mark off the damaged portion, or the portion damaged to varying extents, on the village map and to estimate the damage done in such portion or in each of such portions. It may be necessary in this case also to distinguish between the different crops in each of such portions. Definite orders must be passed by the Collector in the case of each village affected by the calamity as to the damage suffered by each class into which he has ordered that the fields be divided. For this purpose if the area damaged is extensive, it will generally be advisable to group villages. It is essential that the system on which fields are to be classified for the purpose of determining the loss be laid down before any attempt is made to work out detailed calculations. Once the classes have been decided on by any authority, no lower authority has any power to vary the estimate of loss as between fields of the same class.

(2) In deciding on the classification to be adopted the Collector must remember that the estimates of loss can only be approximate and that too meticulous a classification defeats its own purpose

as it delays the preparation of relief statements and causes harassment to the cultivators.

(3) In framing his estimates of loss, the Collector should remember that the normal crop, that is to say the crop which has suffered the normal amount of damage in a season which is not exceptionally good, is generally reported as being a 12—or 13 annas crop. It is only in years in which the crop has escaped any damage that the crop is reported as 16 annas. Such years are exceptional and not normal. The instructions however, assume that the normal crop is a 16 annas crop, *i.e.*, in the instructions loss means loss in excess of the normal loss. Unless care is taken, this may lead to an over estimate of the loss particularly in the case in which the damage is not very great.

(4) Collectors cannot be too careful to guard against a general tendency that exists in the subordinate staff to over-estimate losses as a precaution against possible objection by cultivators. Government desire to impress upon Collectors the imperative need for a thorough and careful checking by the superior staff of estimates of losses with a view to prevent exaggerated estimates and consequent loss of Government revenue.

34. *The "normal area".*—If the nature of the calamity is such that it has reduced the sown area, as happens in the case of a shortage in the late monsoon rainfall, allowance must be made for this reduction in area in calculating the loss suffered by the cultivator. The general principle is that the area which has not been sown, but which would have been sown but for the calamity, is treated as if it had suffered a loss of 16 annas. It is obviously extremely difficult to decide which of the fields that have not been sown in a particular year would have been sown if the circumstances had been different. The most direct method of approach would be to compare the sown area of each holding with the sown area of the holding in a normal year. This necessitates a detailed comparison of the khatauni of the year in which the calamity occurs with the khatauni of a normal year which is a laborious process and takes time. Difficulties too arise in areas of shifting cultivation. A less laborious and quicker method is to determine by comparison with a normal year the percentage of the holdings area which is normally sown and to assume that this percentage of each holding would have been sown in the year of the calamity if the season had been normal.

(2) It is the business of the Collector to determine whether allowance should be made for shortage of sown area and, if such allowance is to be made, to determine which year should be taken as normal. If the nature of the calamity was such as not to affect the sown area, or if the effect was small, say less than 10, or 15 per cent, no allowance will be made.

35. *Preliminary report to the Commissioner.*—(1) As soon as the Collector has decided on the nature and extent of the calamity



and the steps which he propose to take to deal with it, he shall send a preliminary report to the commissioner explaining the situation fully both as regards the area affected and the classification of fields which he proposes to adopt for the purposes of calculating the relief, with an estimate of the damage suffered by each class, and, in cases in which it is necessary to allow for shortage of area, giving an estimate of the shortage. He should discuss the condition of the cultivators. To enable the Collector to follow the progress of the season and to know how far the rainfall in any season departed from the normal as regards either distribution or amount, a statement of normal rainfall by rain-gauge stations will be published separately and supplied to all Collectors. When relief is proposed on account of excessive rainfall or failure of rains, the Collector should refer to this statement in making his proposals and compare the figures for the normal and the actual rainfalls in his report.

(2) The Collector's report shall also give (a) the areas under the Kharif and Rabi crops grown in a normal year in each tehsil affected with details of irrigated and dry areas; (b) the total rental demand of the villages affected; and (c) a rough estimate, as far as one can be made at this stage, of the relief which it will be necessary to give in the rental demand. It is unnecessary at this stage for the Collector to make any recommendation whether the proposed relief should be given by way of remission or suspension.

(3) The report should not be delayed by the inclusion in it of detailed calculations. It should be despatched within a fortnight of the occurrence of the calamity, and in no circumstances (except in a case of damage by fire) should it reach the Commissioner later than December 15, in the case of a calamity affecting the Kharif and May 15, if the Rabi is affected.

“(4) Before finalising his report under this rule, the Collector shall issue a public notice of the extent of the loss or damage

which he estimates to have been caused in the area affected by the agricultural calamity, calling upon all persons concerned to lodge their objections, if any, before the Tehsildar within the local limits of whose jurisdiction their holdings are situated within three days of the publication of the notice by beat of drum in accordance with clause (b) of sub-rule (5).

“(5) Such public notice shall be in form C C and shall be published—

(a) by posting a copy thereof—

(i) on the notice board of the Office of the Collector issuing it,

(ii) on the notice board of each Tal sil within which the area affected by the agricultural calamity or any part thereof situated, and

(iii) at some place of public report in each village the whole or a part of which is affected by the calamity; and

(b) by beat of drum in each such village.

“(6) If any objections are received by the Tehsildar, they shall be disposed by him summarily on the very day of their receipt and shall be submitted to the Collector, along with a report showing the details of the disposal thereof & of the publication of the notice issued under sub rule (4), as promptly as may be possible but not later than a week after the publication of the said notice by beat of drum.

“(7) The report under sub-rule (1) should, in addition to the other particulars mentioned in that sub-rule and in sub-rule (2), also refer to the fact of the issue of the public notice under sub-rule (4), its publication in the manner provided by sub-rule (5), the

objections, if any, lodged under sub-rule (6) and the manner of their disposal.

36. *Commissioner's order on Collector's preliminary report.*—

As soon as the Commissioner receives the Collector's report submitted under the previous paragraph, he should forward a copy of the Collector's report and of his recommendations thereon to Government for information. It is essential that the Commissioner should make explicit report approving or modifying the estimates of the loss of the classes of fields submitted by the Collector. It is the Commissioner's duty to see that adequate, but not excessive, relief is given. Commissioners should see that proposals are not detained for more than a week in their office before being submitted to Government.

Preparation of Relief Statements.

37. *Entry of loss in Khasra and Relief Katauni.*—

As soon as the Collector has decided on the nature and extent of the calamity and the measures necessary to deal with it, he shall, on receiving the orders of the Government issue orders for the preparation of the relief statements. The Patwaris of the villages affected by the calamity should be called to the tehsil and, except in very special cases, should remain at the tehsil until their statements are prepared. The first step in the preparation of these statements is to enter in the remarks column of the Khasra opposite each field the estimated damage in anna per rupee caused to the crop in that field in accordance with order passed under rule 33. At the same time the area of "equivalent total loss" will also be calculated and entered in the remarks column. This is a measure of the loss on the sown area expressed as an area. Thus if the sown area of two acres has suffered a loss of 10 annas in the rupee this is taken as the equivalent of  $\frac{3}{4}$  acre of undamaged crops and  $1\frac{1}{4}$  acres of total loss. This area of  $1\frac{1}{4}$  acres is the area of equivalent total loss. A sufficient number

of these entries must be checked by the Inspector Land Records to ensure that the Collector's orders are being carried out. The information contained in the khasra will generally enable this to be done, but in cases in which only certain portions of the village have been damaged by hail, flood, etc, a reference to the map will be necessary.

38. *Calculation of relief in tenants holdings paying a fixed cash rent*—(1) The next step is the preparation of the relief khatauni in the form given below. The object of the relief khatauni is to enable the calculations of relief in rent to be carried out. The first step in this calculations is to transfer to column 5 of the relief khatauni the area of equivalent total loss in each field and total this column for each holding to get the area of equivalent total loss in the holding.

Column 4 is also totalled to obtain the total sown area of the holding. If there has been no loss due to shortage of area, the loss suffered by the holding as whole is expressed in annas per rupee by comparing this area of equivalent total loss with the area of holding which was cultivated in the season in which the calamity occurred. This is taken as the loss measured in annas per rupee of the normal produce. In the case of fixed cash rents the full rent demand of the season is entered in column 10 and the actual rent payable in the season is then worked out by applying the scale given in paragraph 3 and entered in column 11.

### RELIEF KHATAUNI

Serial No. in ordinary Khatauni	Name and parentage of cultivator.	Khasra No. of field.	Area sown.
1	2	3	4
Area of equivalent total loss.	Normal area of season.	Shortage of area.	Total of shortage of area and area of equivalent total loss.
5	6	7	8
Loss in anna per rupee.	Rent demand of the season.	Rent payable in the season.	Remarks.
9	10	11	12

39. *Checking of entries by Superior Officers:*—It is of the utmost importance that entries of equivalent total loss in the khasra and the entries and calculations made in the khatauni should be subjected to a thorough and complete check as they form the basis of the actual amount of relief in money. While the Inspector Land Records shall be immediately responsible for the accuracy of the entries and calculations, the Collector must also prescribe a suitable percentage of check by the Tehsildar and Naib-Tehsildar. The Sub-Divisional Officer should see that the check done by the Tehsildar and other subordinates is real and effective.

40. *Relief khatauni may be dispensed within certain cases of uniform damage:*—If uniform damage is caused to all the crops of a village, it is, of course, unnecessary to prepare the relief khatauni as the relief to be given, can be calculated directly from the table given in rule 29. But, except in unirrigated areas, such cases seldom arise unless the damage is due to floods.

41. *Relief to Sub-tenants:*—If the sub-tenant's area is large, the sub-tenants may also be given relief in the same proportion as is granted to the tenants-in-chief.

## CHAPTER VII

Rules to give effect to the provisions of section 137 of the Act.

### Notes.

Section 137 of the Act requires the State Government to cause to be printed and kept for sale at cost price at all tehsils books of receipts with counterfoils in the prescribed form. Rules 42, 43 and 44 cast this responsibility on Tehsildar and prescribes the manner in which such responsibility shall be discharged.

42. *Receipt Book and Tehsildar's responsibility:*—The Tehsildar shall be responsible for the safe custody and sale to landholders of books of receipt with counterfoils (Form 'D') supplied by the Government Press and for maintaining accounts of receipts and sales in the prescribed form. He shall also see that stock of books in hand is at all times sufficient to meet the normal requirements of his Tehsil, that indents for them are punctually submitted and are prepared with due regard to foreseeable demand, that all receipts from the Press and sales to landholders are promptly recorded in the register maintained for this purpose, and that all entries of receipt and sale are signed by him before the close of the day on which they are recorded.

43. *Form of account:*—The account of receipts and sale of books shall be maintained in a register in the following form:—

### FORM

*Register of Account of Receipt Books prescribed  
by section 137 of the Rajasthan Tenancy Act 1955.*

Date of receipt.	No. of Books received with book numbers	Value of books received at two annas per book	Signature of the Tehsildar	Date of sale
1	2	3	4	5

Name and address of the person to whom sold or of the person on whose behalf the purchase is made.	No. of books sold with book numbers	Price.	Signature of the purchaser.
6	7	8	9

Date of Deposit in the treasury of the sale proceeds with challan number.	Balance of receipt books in hand.	Signature of the Tehsildar.
10	11	12

44. *Rules regarding issues etc.*—In other respects, the rules applicable to saleable forms regarding issues, indents, security, check etc. shall apply also to books of receipts;

Provided that if the District Officer considers that the security taken under those rules from the official in charge of sale arrangements, is inadequate, he may increase the amount.

### CHAPTER VIII

Rules to give effect to the provisions of section 138 of the Act.

#### Notes

Section 138 of the Act provides that

The tenant shall in accordance with rules made by the State Government be entitled on paying a fee of four annas to the landholder to receive from him within three month after the end of an agricultural year, a statement of account specifying such particulars as may from time to time be prescribed either generally or for any particular local area or class of cases.

45 *When tenant may demand a statement of account.*—A tenant shall be entitled to demand a statement of account of the rent and sayar of his holding or holdings only between the first day of June and the first day of September of any year.

46. *Fee to accompany demand.*—Such demand may be made by the tenant in a written or verbal request, and along with such request, a fee of four annas and, if the tenant wishes the statement of account to be sent by post, a further sum of two annas and six pies to cover the cost of postage and certificate of posting, shall be paid by the tenant either by personally delivering to the land-holder or by remitting the amount by Money Order. The land-holder shall give a receipt to the tenant for the amount received

47 *Land-holder to furnish a statement of account* —Within one month of the receipt of the fee, the land-holder shall furnish a statement of account to the tenant in Form E and obtain a receipt therefor signed by the tenant or, if the tenant has paid the cost of

postage and the certificate of posting, send the account by post and obtain a certificate of posting.

### CHAPTER IX.

Rules to give effect to the provisions of sections 148-149 of the Act.

#### Notes

Sub-section (1) and (2) of section 148 of the Act provide as under:—

(1) When the rent is payable by a division of the produce or is based on an estimate or appraisal of the crop—

(a) if either the landholder, not being the State Government, or the tenant neglects to attend at the proper time, or

(b) if there is a dispute about the division, quantity or value of the produce,

an application may be presented by either party to the Tehsildar requesting that an officer be deputed to make the division, estimate or appraisal.

(2) With the application the applicant shall deposit such fee as may be prescribed by the State Government by rules made in this behalf.

Section 149 prescribes the procedure to be followed on receipt of such applications and requires the Tehsildar to depute an officer by whom action as required under section 148 and 149 should be taken.

48. *Officer to be deputed to make division, estimate or appraisal of crops.*—The officer to be deputed under section 149 of the Act to make the division, estimate or appraisal shall ordinarily be the Inspector of Land Records.

49. *Fee.*—With every application a fee of Rupee one shall be deposited by the applicant.

### CHAPTER X

Rules to give effect to the provisions of section 160 of the Act.

#### Notes.

The rules in this Chapter are intended to put into effect the requirements of section 160 of the Act which reads as under:—

(1) In the event of any general refusal to pay rent to the persons entitled to collect the same in any local area, the State Government may, after making necessary enquiry, declare by notification in the Rajasthan Gazette, that such rents may be recovered as arrears of land revenue.

(2) In any local area to which a notification issued under sub-section (1) applies a landholder or any other person to whom an arrear of rent is due may, notwithstanding anything to the contrary in this Act or in any other law for the time being in force, instead of suing for recovery of the arrear under this Act, apply in writing to the Collector to realise the same, who shall, after satisfying himself that the amount claimed is due, proceed, subject to rules made by the State Government to recover such amount with interest as an arrear of land revenue.

(3) The Collector shall not be made a defendant in any suit in respect of an amount for the recovery of which an order has been passed under this section.

(4) Nothing herein contained and no order passed under this section shall debar—

(a) a landholder from recovering by suit or application any amount due to him which has not been recovered under this section; or

(b) a person from whom any amount has been recovered under this section in excess of the amount due from him, from recovering such excess by suit against the landholder or other person on whose application the arrear was realised.

(5) The Collector shall deduct and credit to the State Government a sum equal to seven and a half percent of the amount actually recovered under sub-section

ion (2) by way of costs of collection and the charge of such costs of collection shall fall on the tenant:

Provided that where the collector is of opinion that there was a bona fide dispute between the tenant on the one hand and the landholder or any other person to whom an arrear of rent was due on the other hand as to the rent due, he may apportion the charge of the costs of collection between both parties in such proportion as he may consider fit.

50. *Court fee on application*—In accordance with serial number 58 of part II of the third schedule to the Act, an application under section 160 of the Act for the recovery of arrears of rent must bear a court fee of eight annas.

51. *Area to which application shall relate*.—An application to the Collector for realisation of arrears of rent as arrears of land revenue under section 160 of the Act shall not relate to an area larger than a village. There shall be a specific application for each village or part of a village.

52. *Lists of accompany application*.—Each application shall be accompanied by lists in duplicate showing in Form F appended to these rules the details specified in columns 1 to 6 of that form for every defaulter in the village against whom the applicant desires proceedings to be taken. If a defaulter is in arrears in respect of more than one holding, each such holding shall be shown separately.

53. *Receipt book to be produced with application*.—The applicant shall produce along with his application one or more receipt books printed under the provisions of section 137 of the Act, and containing a sufficient number of receipt forms and counterfoils for the use of the officer realising the arrears.

54. *Verification of application*—The application shall be verified as a pleading in accordance with rule 15 of Order VI of the Code of Civil Procedure ( V of 1908).

55. *Application how treated*.—The application, after presentation shall be at once formed into a file with an index and order sheet attached.

56. *Checking of list by Collector*.—The Collector shall check the lists by examining the record relating to the realisation of rents maintained by the land-holder or the Patwari, or by any other suitable method, and shall satisfy himself that the amount claimed is due and may make such modifications in the lists as appear to be necessary. The Collector shall also see that the claim on account of interest in column 5 has been correctly calculated at the rate prescribed by the Act, ( one anna per rupee per annum simple interest ). After checking the entries in columns 3 6 and making such alterations in them as may be necessary, the Collector shall enter in column 7 the amount passed by him for realisation.

57. *Agency for collection*.—The Collector shall then send the lists, together with the receipt-books, to the Tehsildar, who shall either proceed to realise the arrears himself or shall entrust the duty to another officer who shall be ordinarily a Naib Tehsildar or an



Inspector of Land Records. The arrears shall be recovered as arrears of land revenue.

58. *Extra staff.*—The Collector may appoint extra staff to make the collections.

59. *Limit to the cost of extra staff.*—The cost of the extra staff employed should not ordinarily exceed 4 per cent of the demand, and in no case should it exceed 5 per cent of the demand.

60. *Receipts to be issued.*—The officer charged with the realisation of the arrears shall give a receipt to each defaulter for the amount realised from him from the printed book or books supplied by the applicant under rule 53.

61. *Arrears collected, how disposed of.*—The Tehsildar or the Naib Tehsildar who has made collections, may, if the applicant or his authorised agent is present, handover to him on his written receipt any sum realised by him under these rules. If the applicant or his authorised agent is not present, or does not agree to take the amount realised, or if the collections are made by an officer other than the Tehsildar or Naib Tehsildar, the amount collected, shall be deposited in the treasury as a revenue court deposit of the Tehsildar's court payable to the applicant, and the requisite challan shall be attached to the file. Before the final payment to the applicant is made, the costs of collection fixed by the Collector in accordance with the provisions of sub-section (5) of section 160 shall be deducted and one of the duplicate lists in Form 'F' under rule 52 will be given to the applicant with all the columns filled in.

#### Notes.

Last sentence beginning with, "Before the final payment" and with the words, "all the columns filled in" at the end of the rule has been replaced for the original sentence" when the final payment to the applicant is made, one of the duplicate lists in Form F under rule 52 will be given to him with all the columns filled in" vid amending notification No. F. 1. [37] Rev. B.57 dated July 1, 1957 published in Rajasthan Rajpatra dated 25/7/1957-part IV [c .

62. *Payments to be entered in cash books.*—Whenever any sum is paid either to the applicant or his authorised agent or deposited in court, an entry to this effect with the name of the payee and the amount shall be entered in the cash book (Form G) and initialled by the Tehsildar.

63. *Comparison of accounts.*—The Accountant shall maintain a register in Form H, in which all sums realised from time to time shall be entered. All such realisations shall be intimated to the Accountant.

64. The officer making the collections shall, on his next visit to the tehsil, or as soon afterwards, as possible, compare the entries in his cash book with those in the register kept by the Accountant.

## CHAPTER XI

Rules to give effect to the provisions of section 180 of the Act.

## Notes.

Section 180 of the Act reads as under :—(1) A tenant of Khudkasht or a Ghair-khatedar tenant or a sub tenant shall also be liable, on application, to ejectment on any of the following grounds, namely:

(a) that the land held by such tenant or sub-tenant is in excess of the minimum area prescribed by the State Government for the district or part of the district in which such land is situated and ejectment from the excess area is sought by the landholder for the purpose of his personal cultivation.

Provided that different limits may be prescribed for different districts or parts of a district, so however, as to ensure a net annual income of twelve hundred rupees for such tenant or sub-tenant, exclusive of the cost of his labour and the labour of his family;

(b) that he is a tenant or sub-tenant holding from year to year or under a lease or sub-lease granted after the commencement of this Act under section 45 of which the period has expired or will expire before the end of the current agricultural year;

(c) that the lease or sub-lease granted after the commencement of this Act under section 45 has expired and the landholder requires land for his personal cultivation;

(d) that the land had been under the personal cultivation of the landholder for a continuous period of five years immediately preceding the agricultural year 1948-49 and was, during or after that year, given on lease or sub-lease for a fixed term and such lease or sub-lease would have terminated and the tenant or sub-tenant would have been liable to return possession of the land to his landholder but for the provisions of the Rajasthan (Protection of Tenants) Ordinance, 1949 (Rajasthan Ordinance IX of 1949) unless in the meanwhile Khatedari rights have accrued to such tenant or sub-tenant under any law during the term of such lease or sub-lease :

Provided that a landholder shall not be entitled to an order for ejectment under clause (d) unless he requires the land from which ejectment is sought for his personal cultivation, and unless such land is in excess of the minimum area prescribed for the purposes in clause (a):

Provided further that a landholder holding thirty acres of irrigated or ninety acres of unirrigated land under his personal cultivation shall not also be entitled to an order for the ejectment of a tenant under clause (b), and a land holder holding a less area shall be entitled to an order for such ejectment, only from such areas, together with the area already held by him, shall not exceed thirty acres of irrigated or ninety acres of unirrigated land.

*Explanation.*—One acre of irrigated land shall be deemed, for the purposes of this sub-section, to be equivalent to three acres of unirrigated land.

(2) The State Government shall prescribe the procedure to be adopted in cases where there are more tenants or sub-tenants than one, or where the area held by the tenant or sub-tenant is in excess of the area from which ejectment can be sought under clause (d) of sub section (1).

65 *Procedure for ejectment of Khudkasht and Chair Khatedar tenants or sub-tenants*—In proceedings under section 180 of the Act, where there are more tenants or sub-tenants than one, who ejectment is applied for by the land-holder or where the area held by the tenant or sub-tenant is in excess of the area from which ejectment can be sought under clause (d) of section 180, the court shall, in ordering ejectment, be guided by the following principles:—

(a) If the requirements of the landholder can be satisfied from the area held by tenants or sub tenants holding more area than the minimum prescribed by the Government, the tenants or sub-tenants holding area less than the prescribed minimum shall be exempted, and proceedings shall be taken against the rest.

(b) Other things being equal, the tenant who has sub-let his holding in contravention of the provisions of the Act, in whole or in part as the case may be, shall be ejected.

(c) If the requirements of the land-holder cannot be satisfied as provided in sub-clauses (a) and (b) above, then the land which forms the Jav of a masonry well constructed by the land-holder at his own expense, whether held by a tenant of Khudkasht or Ghair Khatedar tenant, shall be proceeded against.

(d) The incidence of ejectment which has been determined in accordance with the above principles shall be distributed evenly and fairly, as far as possible, upon the tenants or sub-tenants concerned, regard being had to the size and value of each holding and the different categories of land included therein.

(e) The area from which a tenant or sub-tenant is to be ejected shall, so far as possible, be selected in such manner as to leave the remaining land, if any, in a compact block.

"66. *Prescription of minimum areas for the purposes of clause (a) of section 180 of the Act.*—The minimum areas for the purposes of clause (a) of section 180 of the Act shall be such as are shown in the schedule annexed to these rules and where the area consists of both irrigated and unirrigated lands, three acres of un-irrigated land shall, for calculating the minimum area, be deemed to be equivalent to one acre of irrigated land."

#### Notes

This rule alongwith schedule has been newly inserted vide amending notification No. F.I. (37) Rev. B/55 dated 8/10/56, published in Rajasthan Rajpatra dated 25/10/56, part IV c. The schedule has been replaced by the present schedule vide amending notification No. F.I. (37) Rev.B/55 dated 17/1/58, published in Rajasthan Rajpatra dated 3/4/58 part IV c.

#### SCHEDULE.

S. No.	Name of District	Name of Tehsil	Minimum area of Barani land (in acres).
1	2	3	4
1.	Bikaner ....	.... Bikaner Lunkaransar Magra Nokha	75
2.	Churu	.... Churu Rajgarh Ratangarh Sujargarh Taranagar Dungargarh Sardarshaher	65    75

3. Ganganagar	.... Ganganagar Karanpur Padampur Raisinghnagar Anoopgarh  Hanumangarh Nohar Bhadra Suratgarh	(1) 15.6 acres or one Murabba in commanded area. (2) 62.5 acres in unco- mmanded area.  50
4. Alwar ....	.... Alwar Lachhmangarh Rajgarh Thana Ghazi Bahrod Kishangarh Mandawar Tijara Bansur	 25  30
5. Bharatpur	.... Kama Deeg Nagar Bayana Roopwas Weir Bharatpur Nadbai Bari Gird (Dholpur) Rajakhara Basedi	    30  40
6. Jaipur ....	.... Jamwaramgarh Dausa Chaksu Arain Phagi Dudu Bairath Kotputli Baswa (Bandikui) Lalsot Sikrai Kishangarh Sarwar Amber Jaipur Bassi	  40    45  35 50

		Sanganer	
		Roopangarh	
		Phulera	
6. A.	Ajmer	Ajmer kekri and Beawer	
7.	Jhunjhunu ....	Khetri	50
		Udaipurwati	
		Chirawa	60
		Jhunjhunu	
8.	Sawai Madhopur ....	Gangapur	
		Hindaun	
		Mahwa	
		Todabhim	35
		Bamanwas	
		Nadoti	
		Bonli (Malara- nachour)	
		Sawaimadhopur	
		Karauli	
		Sapotra	40
		Khandar	
9.	Sikar ....	Neem-ka-Thana	
		Srimadhopur	50
		Dantaramgarh	
		Sikar	
		Fatehpur	
		Lachhmangarh	
10.	Tonk ....	Tonk	
		Malpura	
		Todaraisingh	35
		Duni	
		Uniara	
		Niwai	40
11.	Barmer ....	Siwana	60
		Paohpadra	75
		Barmer	
		Chohtan	100
		Sheo	
12.	Jaisalmer ....	Pokaran	75
		Jaisalmer	
		Fatehgarh	100
		Nachna	
		Ramgarh	125
		Sam	
13.	Jalore	Jalore	
		Ahoré	

		Jaswantpura	50
		Sanchore	
14.	Jodhpur ....	Bilara	45
		Jodhpur	60
		Shergarh	
		Osian	75
		Phalodi	
15.	Nagore ....	Digana	
		Parbatsar	50
		Nawa	
		Merta	40
		Didwana	
		Ladnu	60
		Jayal	
		Nagore	65
16.	Pali ..	Bali	35
		Desuri	
		Jaitaran	45
		Raipur	
		Kharohi (Marwar)	
		Sojat	40
		Pali	
17.	Sirohi .. ..	Sirohi	
		Reodar	45
		Sheoganj-Abu Road	
		Pindwara	35
18.	Bundi ..	Bundi	
		Patan	
		Talora	35
		Hindoli	
		Nainwa	
19.	Jhalawar ..	Aklara	
		Bakani	
		Manohar Thana	35
		Pirawa (including Sunel area)	
		Khanpur	
		Gangdhar	
		Paohpahar	30
		Jhalra Patan	
		Dag	
20.	Kotah ..	Anta	
		Baran	
		Mangrol	
		Atru	
		Chhabra	
		Chhipabarod	
		Kanwas	

	Sangod	30
	Berod	
	Digod	
	Itawa	
	Pipalda	
	Chechat	
	Ramganj Mandi	35
	Ladpura	40
	Kishanganj	
	Shahbad	
21. Bhilwara. ....	Mandal	
	Ruipur	30
	Shahada	
	Asind	
	Banera	
	Bhilwara	
	Hurda	
	Kotri	35
	Shahpura	
	Mandalgarh	
	Jahajpur	
22. Chittorgarh....	Begun	
	Chittorgarh	
	Gangrar	
	Kapasin	
	Rashmi	
	Badi Sadri	
	Chhoti Sadri	30
	Bhadesar	
	Doongla	
	Kanera	
	Neemahera	
	Pratapgarh	
	Achhanera	
	Bhensrorgarh	35
23. Banswara ....	Banswara	
	Gadhi	
	Ghatol	30
	Bagidora	
	Kushalgarh	
24. Udaipur ....	Kumbalgarh	
	Saira	25
	Railmagra	
	Girwa (Udaipur)	
	Mavli	
	Vallabhnagar	30
	Rajsamand	

Udaipur ....	Nathdwara	
	Bhoopalsagar	
	Bhim	
	Deogarh	35
	Amet	
	Kotra	
	Phalasia	
	Kherwara	
	Salumber	40
	Sarada	
	Lasadia	
25. Dungarpur....	Aspur	30
	Dungarpur	
	Sagwara	

*Notes.*

Serial number 6 A, words „Abu Road” after the word “Sheoganj” in serial number 17 and the brackets and word, “(including Sunel are)” after word “Pirawa” in serial number 19 have been newly inserted vide amending notification No. F. 1. (37) Rev. B/55 dated 27/8/58 published in Rajasthan Rajpatra, dated 21/9/58 part IV (C).

## FORM A. (See Rule 10)

## NOTICE ON APPLICATION FOR RESIDENTIAL SITE.

it is hereby notified that .. s/o  
 .... caste ... ..resident of ... [who claims  
 to be an agricultural worker/artisan and to have been permanently  
 residing in ... .. village for.... .. years/a tenant]  
 has applied for.... .. sq. yards of land bounded on the  
 north by... .. on the east by ... .. on the  
 south by.... .. and on the west by.... .. for  
 allotment as a site for constructing a pucca house/kacha house/  
 Patore, Ekdhalia/Nohra/Bara. \*Persons having any objection to  
 the grant of the land applied for should intimate the same to the  
 patwari of the village, or to the undersigned direct, within fifteen  
 days of the publication of this notice, whereafter no objection will be  
 entertained. (Tehsildar).

Dated . 195 .

## FORM AA.

Application under sub-section (2) of section 31 of the Rajasthan  
 Tenancy Act, 1955. and rules 8 A of the Rajasthan  
 Tenancy (Government) Rules, 1955.

To The Tehsildar Village Panchayat  
 Tehsil..... Village.....  
 Sir (s) Tehsil.....

I, AB S/o C. D , age ... .. years, resident of ... ..  
 village Tehsil ... .. beg to state:—

(1) that I am an agricultural worker/artisan within the mean-  
 ing of the Explanation to sub-section (2) of section 31 of the  
 Rajasthan Tenancy Act, 1955, and have been working as such agri-  
 cultural worker/artisan viz. black-smith/carpenter/cobbler/potter/  
 weaver\* in ... .. village ;



(2) that I have been permanently residing in the abadi of  
 .... village (Tehsil ... ) for... ..years; and

(3) that I do not possess a house in the abadi of the village.

2. I, therefor, hereby apply for a site for a residential house under sub-section (2) of section 31 of the Rajasthan Tenancy Act, 1955, and rule 8 A of the Rajasthan Tenancy (Government) Rules, 1955.

3. The required particulars are given below:—

- (i) In the case of an agricultural worker,  
 name (s) of the person (s) on whose  
 field (s) the applicant has been work-  
 ing as agricultural worker during the  
 past ten years .... ..
- (ii) In the case of an artisan, the exact  
 nature, of the profession viz. black-  
 smith, carpenter, cobbler, weaver etc.  
 to be specified and the name of the  
 village where the applicant has been  
 working as such during the past ten  
 years to be mentioned. .... ..
- (iii) Name of the village (with name of  
 Tehsil) in which the applicant has  
 been permanently residing for the  
 past ten years or more. .... ..
- (iv) Name, parentages and full addresses  
 of persons who will testify to the  
 applicant having been so permanently  
 residing. .... ..
- (v) Nature of the construction viz. Pucca  
 house, Kacha house, Patore, Ekdhalia etc. .... ..
- (iv) Name of locality, measurements of the  
 land applied for and its boundaries. .... ..

Yours faithfully,  
 Signed.

I solemnly declare that the particulars given above are correct to the best of my knowledge and belief, and I have stated the truth and have not suppressed or concealed any relevant fact.

Witness 1. Signature....."

Witness 2. Date ... ..

FORM B. (See Rule 11)

PARWARI'S REPORT.

Case No.... of 195 .

Application for allotment of a house site.

Name of applicant

The notice dated was duly published in the village by beat of drum and posted at the village Chopal and on the land applied for.

Signature of Patwari.

Patel or Lambardar

Witnesses.

Dated.... 195 .

Strike out whichever is inapplicable.

Report on the prescribed Form is submitted herewith.

\*No. objections have been received by the undersigned.

The objections received by the undersigned are also submitted herewith and are as follows:—

(To be stated)

(Patwari)

Dated.... ....

1. Name of village and Tehsil.
2. Name of tenant (applicant) with parentage, caste, age and residence.
3. Particulars of holdings.
4. Whether the applicant has already got a house in the village abadi or not.
5. Name of locality.
6. Khasra No. and name/names of field/fields.
7. Measurements of land showing length and breadth, dimension in feet and inches.

North  
East  
South  
West

8. Total area in sq. yards and feet
9. Boundary marks—  
Permanent marks  
Semi-permanent marks.
10. Purpose for which land is required viz.  
Pucca house/kachha house/Patore/Ekdhalia/Nohra/Bara.
11. Particulars of objections, if any, received.

or

12. Patwari's report and recommendations.

FORM BB. (See rule 11)

(In respect of an application under rule 8A)

### PATWARI'S REPORT

Case No ... of 196 .

Application for a house-site by an agricultural worker or village artisan.

Name of applicant.

The notice dated ... was duly published in the village by beat of drum and posted at the village Chopal and on the land applied for.

Signature of Patwari,  
Signature of Lambardar.

Dated.... ....

Report on the prescribed form is submitted herewith.

\*No objections have been received by the under signed.

The objections received by the undersigned are also submitted herewith. (Patwari).

Dated.... ....

1. Name of village and Tehsil.

... ..

- |   |      |      |      |
|---|------|------|------|
| 2. Name of applicant with parentage, age and residence.   | ...  | ...  | ...  |
| 3. Whether the applicant has already got a house in the village Abadi or not.   | .... | .... | .... |
| 4. Whether the applicant has been working as agricultural worker/artisan viz. black-smith, carpenter, cobbler, potter, weaver etc, in the village.  | ...  | ...  | ...  |
| 5. Whether the applicant has been permanently residing in the abadi of the village .... (name of the village to be mentioned) for ten years or more | .... | .... | .... |
| 6. Name of locality.  | .... | .... | .... |
| 7. Measurements of land showing length and breadth, dimensions in feet and inches.  | .... | .... | .... |
| North   | .... | .... | .... |
| East  |      |      |      |
| South   |      |      |      |
| West  |      |      |      |
| 8. Total area in sq. yards and feet.  | .... | .... | .... |
| 9. Boundary marks, Permanent marks, Semi Permanent marks.   |      |      |      |
| 10. Purpose for which land is required viz. Pucca house/kacha house/patore/ekdhalia.  | .... | .... | .... |
| 11. Particulars of objections, if any received.   | .... | .... | .... |
| 12. Any other particulars.  | ...  | .... | .... |
| 13. Patwari's report and recommendation.  | .... | .... | .... |
- 'Strike out whichever is inapplicable.'

## FORM C

(See Rule 18)

## FORM OF LEASE OR COUNTER-PART

(See Section 32)

1, <u>AB</u> S/o <u>CD</u> , caste....	....	....aged ...	....r/o
<u>EF</u> <u>GH</u>			
sil...	...	District....	....have leased the under taken on lease

mentioned land to— S/o — caste ... ..aged...  
 from KL OP  
 r/o... ..Tehsil District

\*Strike out whichever is inapplicable.

### Particulars of lands.

Name of village, with name of Thok or Patti (Name of Tehsil and District. Khasra Nos. and name/names of field/ field or boundaries, area of each Khasra No. or field, category and class of each Khasra No. or field (See section 21) at Settlement or as classified by the collectors—if known the lessor or lessee—as a tenant of..... class at an annual rent of ..... payable in the following instalment and on the following dates:—

( ) Rs. On the day of  
 ( ) Rs. On the day of  
 ( ) Rs. On the day of

the period of the lease being for ( ) that is to say from  
 (date) to.... (date)

dated the day of \_\_\_\_\_ 195 .

AB landholder

Signed or marked

EF tenant.

Witness (if marked) ... ..

*Note*:—If rent, is payable in kind, full particulars of share of produce, mode of payment i.e., whether payable by division of the produce or based on estimate or appraisement of the crop or on rates varying with the crop sown or with harvest or harvest prices or partly in one of such ways or partly in another or others of such ways, should be given.

### "FORM CC."

(See sub-rule (5) of rule 35).

Public notice of loss or damage caused by agricultural calamity.  
 To all whom it may concern.

Take notice that the loss or damage caused, by.....  
 here state the nature of the agricultural calamity) .....in  
 the area affected thereby..... here state and  
 describe briefly the area affected by the calamity)..... is  
 estimated to be as indicated below:—

*Class of fields or group of villages—Extent of or loss damage.*—  
 Any person dissatisfied with the above estimate may lodge his objections before the Tehsildar within the local limits of whose jurisdiction his holding is situate within three days from the date of the publication of this notice in his village by beat of drum.

Signed \_\_\_\_\_  
 Collector of "

FORM D  
(Rule 42)

(See Section 137)

Form Of Counterfoil And Receipt For Rent

COUNTERFOIL

Book No.....Page No.....  
 Receipt No.....  
 Name of landholder.....  
 Received from tenant (Name and father's name).....  
 of Village.....; Thok....., Patti.....as follows:—

By whom paid (description.)	Description of tenant's holding.	Whether on a/c of rent or of sayar.	Whether in full or in part payment.	Amount received.	Rs. A.

.....Signature of landholder or agent.

Note:—U/s 135 (2) of the Rajasthan Tenancy Act, 1955 separate receipts must be issued for each payment of rent or of sayar.

RECEIPT

Book No.....Page No.....  
 Receipt No.....  
 Name of landholder.....  
 Received from tenant (Name and father's name).....  
 of Village....., Thok....., Patti.....as follows:—

By whom paid (description.)	Description of tenant's holding.	Whether on a/c of rent or of sayar.	Whether in full or in part payment.	Amount received.	Rs. A. P.

.....Signature of landholder or agent.

Note:—U/s 135 (2) of the Rajasthan Tenancy Act, 1955 separate receipts must be issued for each payment of rent or of sayar.

## FORM E

## Statement of Account.

(See Section 138 of the Rajasthan Tenancy Act, 1955 and Rule 47 of the Rajasthan Tenancy (Government) Rules, 1955).

Name and percentage of the tenant.	Description of the holding or property sufficient to iden- tify it.	Annual rent or sayar.	Amount of rent or sayar, if any, out- standing for each year and harvest.	Interest.	Remarks.
			Year and Harvest.	Rs. a. p.	
1	2	3	4	5	6
					7
Total.....					
Grand Total.					

Dated.....195 .

(Seal of the Court).

.....  
(Signature of the land-  
holder of his agent.

## FORM F (Rule 52)

Serial number.	Name and address of defaulter.	Arrears of rent payable.		Interest due.		Amount claimed. Total of columns 4 and 5.		Amount passed by the Collector for realisation.		Amount realised.		Remarks
		Year.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	
1	2	3	4	5	6	7	8	9				

Notes:—(1) Columns 1 to 7 will be filled in by the applicant.  
 (2) Columns 8 to 10 will be filled in by the Collector.

## FORM G (CASH BOOK) (Rule 62)

Serial number.	Name of defaulter with number in Form F.	Amount to be realised, i.e., the amount shown in column 8 of Form F.	Amount realised	Date of realisation.	Number of receipts given.	Amount still due.	Amount paid to the applicant or his authorised agent and date of payment.		Name of payee.	Amount deposited in treasury and date of deposit.		Initials of Tehsildar.
							Date.	Amount.		Date.	Amount.	
1	2	3	4	5	6	7	8	9	10	11	12	13

(Rule 63)

Register maintained by Accountant.

[illegible]



# Rajasthan Tenancy (Government) Rules, 1955.

## REVENUE [B] DEPARTMENT

Jaipur, July 24, 1967,

*Notification No. F. 7(6) Rev/B, 67*—In exercise of the powers conferred by section 25i of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), the State Government hereby makes the following rules further to amend the Rajasthan Tenancy (Government) Rules, 1955, namely :—

1. *Short title*—These rules may be called the Rajasthan Tenancy (Government) Amendment Rules, 1967.

2. *Amendment to rule 6*—In rule 6 of the Rajasthan Tenancy (Government) Rules, 1955 for the expression “S.D.O.” wherever it occurs, the expression “Tehsildar” shall be substituted and for the expression “Collector” the expression “sub-Divisional Officer” shall be substituted

[ Pub. in Raj. Gaz. 4 (Ga)—Dt. 5-10-67—Page 757 ]

## Rajasthan Tenancy Board of Revenue Rules, 1955

I. Notification No. 11089/B.R. dated September 5, 1959, issued by the Board of Revenue and published in Rajasthan Raj-patra. part iv (c) dated December 10, 1961 has effected following omissions substitutions and amendments in the rules:—

(a) Rules 3 and 7 and Form 'H (I) 'and' I' stand omitted Previously rules 3 and 7 stood as under:—

3. *Acquisition of khatedari rights*:—All applications for the acquisition of Khatedari rights and or the right in improvement under section 19 of the Act shall be in Form (H) (1), and the tenant shall submit as many copies thereof as there are land holders and owners of Nalbat.

7. *Accrual of rights*.—The certificate of transfer of Khatedari rights and rights in improvements to be granted under sub-section (2) of section 28 shall be in Form K and shall be in duplicate—one to be given to the applicant and the other to be kept on record.

(b) Present rule 4 and Form J have been substituted for the previous one. Previously rule 4 read as under:—

4. The notice to be issued to the land-holder under Section 20 (1) shall be in form I.

(c) Present rules 5, 6, 8, 9 and 10 have been substituted for previous rules which stood as under:—

5. The land-holder claiming compensation shall submit his claim in Form J.

6. *Manner of inviting objections*:—(1) For the purpose of inviting objections, as laid down in sub-section (5) of section 21 of the Act, to the different categories and classes of lands, the annual rents in respect thereof and the prices thereof to be notified under the said sub-section, the Collector shall issue a public notice which shall contain a full description of all categories and classes into which land is proposed to be divided, annual rents proposed to be provisionally determined by the Collector for each class in each category of such land and the prices thereof, provisionally determined by the Collector.

(2) The notice shall be published in Rajasthan Gazette and copies of the notice shall be posted in the Court-house of the Collector issuing it, at the headquarters of the Tehsil within which the land to which it refers is situated, and at some place of public resort on or adjacent to the land to which it refers; and if the Collector issuing it, so directs, the notice shall be further published by beat of drum on or near the land to which it refers.

(3) Any person so desiring may lodge an objection to any of the matters specified in the notice ordinarily within 30 days of the publication of the notice in the Rajasthan Gazette.

Provided that in any special case the Collector may specify in the notice a longer period for the filing of objections.

(4) No objections received after the expiry of the time provided for in sub-rule (3) shall be taken into account.

8. *Application under Section 29 for acquisition of rights to Nalbat only*:—An application for the acquisition, under section 29, of rights to Nalbat only shall be in Form L.

9. The notice under sub-section (2) of section 29 shall be in Form M and a copy of the notice shall also be served on the land-holder.

10. The person entitled to the Nalbat right sought to be acquired shall submit his claim in Form N.

(d) Present Forms 'K', 'L' and 'M' have been substituted for the previous one.

(e) In Form "N" figure "36-A" has been substituted for figure "29" and in serial number 6, figure "5" has been substituted for the previous figure "20".

(f) In rule 11 and Form 'O' for the word "transfer" word "acquisition" and in place of figure "29" in form "O" the figure and letter "36-A" has been substituted.

II. Rule 25A, 25B, 25C, 25D, 25E and 25F and form "R-R" have been added through Board of Revenue Notification No. 6286/BR dated May 22, 1961, published in Rajasthan Raj-patra, part iv (c) dated June 15, 1961.

# The Rajasthan Tenancy (Board of Revenue) Rules, 1955

No. 7907/BR, Jaipur, November 1, 1955—In exercise of the power conferred by section 258 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), the Board of Revenue has, with the previous sanction of the State Government, made the following rules, the same having been previously published as required by section 259 of the said Act.

## CHAPTER I

### *Preliminary*

1. *Short title and commencement*.—(1) These rules may be called the Rajasthan Tenancy (Board of Revenue) Rules, 1955.

(2) They shall come into force at once.

2. *Interpretation*.—(1) In these rules, unless there is anything repugnant in the subject or context:—

“the Act” means the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955).

(2) The provisions of the Rajasthan General Clauses Act, 1955 (Rajasthan Act VIII of 1955) shall, *mutatis mutandis*, apply to the interpretation of these rules as they apply to the interpretation of an Act of the Rajasthan Legislature.

## CHAPTER I A.

*Rules to give effect to the provisions of clause (14) of Section 5.*

2 A. *Rules for the recording of groves*.—Every person who has a grove within the meaning of clause (14) of section 5, over the whole or a part of his holding, shall within three months from the date of publication of this notification in Rajasthan Raj-patra apply to the Tehsildar of the Tehsil in which such grove is situated for the recording of such grove.

2 B. *Particulars to be furnished*.—The application for the recording of a grove shall contain the following particulars:—

1. Name of village.
2. Name to Thok of Patti.
3. Khasra No. of grove.
4. Area.
5. Number and kind of trees.
6. Date of acquisition of holding.
7. Nature of holding.
8. Whether holding acquired free of rent for the purposes of grove or on payment of premium in lieu of rent.
9. Amount of premium paid.
10. Date of application, if any, for reduction of land revenue.
11. Amount of land revenue reduced.

12. Year from which reduced.

13. Period for which reduced.

2 C. *Transfer of interest to be reported by Groveholder:—* After a grove has been recorded the grove holder shall inform the Patwari and the Tehsildar of all transfers of interest made by him.

2 D. *Acquisition of grove to be reported:—* Every person obtaining possession of a grove by succession; transfer or otherwise shall bring the fact to the notice of the village Patwari and report it to the Tehsildar of the Tehsil in which such land is situated, either direct or through the village Patwari or the Land Records Inspector, within three months from the date on which he obtains such possession.

Note:—Chapter I A is published in Raj. Gazette dated May 29, 1958, Pt. IV P. 321.

2 E. *Report if grove loses its character:—* If the land loses its character of a grove, this fact shall be reported to the Tehsildar.

## CHAPTER II

*Rules to give effect to the provisions of Sections 19-30.*

3. [Omitted]

4. *Statement of claim for compensation under section 20 (1).—* (1) The statement of claim for the compensation payable to a landholder for the accrual of khatedari rights and rights in improvements to his tenant of Khudkasht or sub-tenant shall be submitted in form J, and the landholder shall submit as many copies of the statement of claim as there are tenants of Khudkasht or sub tenants from whom compensation is claimed.

(2) The statement of claim may either be presented to the Sub-Divisional Officer by the landholder in person or it may be submitted through an authorised agent, or it may be sent by registered post, acknowledgement due

5. *Form of notice under section 20 (2).—* The notice to be issued to the tenant under sub-section (2) of section 20 shall be in form K.

*Determination of annual rents, under section 21, or price of lands for the acquisition of Khatedari rights.*

6. *Other matters to be considered in determining value of improvement*—In addition to the matters mentioned in section 24 of the Act, the Sub-Divisional Officer shall, in determining the value of any improvement, take into consideration any money or manual labour contributed by the tenant for the making of the improvement.

7. [Omitted.]

8. *Application for acquisition of right to Nalbat:—* (1) An application for the acquisition under section 36 A of right to Nalbat shall be in form L, and the applicant shall submit as many copies

of the application as there are persons in whom the right to realise nalbat vests.

(2) The application may either be presented to the Sub-Divisional Officer by the tenant in person or it may be submitted through an authorised agent or it may be sent by registered post, acknowledgment due.

9. *Notice under sub-section (2) of section 36 A.*—The notice under sub-section (2) of section 36 A shall be in form M and a copy of notice shall also be served upon the landholder.

10. *Statement of claim for compensation under section 36 A (2).*—The statement of claim for compensation payable to the person in whom the right to realise nalbat vests shall be submitted in form N and shall be in triplicate.

The statement of claim may either be presented to the Sub-Divisional Officer in person or it may be submitted through an authorised agent, or it may be sent by registered posts, acknowledgment due.

11. The certificate of [acquisition] of right to Nalbat shall be in Form O.

### CHAPTER III.

*Rules to give effect to the provisions of section 48-52 of the Act.  
Exchange of tenancies.*

12. *Documents to accompany the application.*—An application under section 49 of the Act shall contain the following particulars:—

- (i) the khasra Nos. of the plots which the applicant wishes to take and of the plots cultivated by him, which he offers in exchange.
- (ii) A certified copy of the Khatauni Khatas in which all such plots are included.
- (iii) A certified copy of the Khewat Khatas to which all such plots pertain.
- (iv) Grounds for exchange.
- (v) A statement showing details of any lease, mortgage or other encumbrance with which the land offered in exchange by the applicant may be burdened, together with the names and addresses of the lessee, mortgagee or other encumbrancer.
- (vi) If the land-holder is not a party to the proposed exchange, his name and address.

13. *Issue of Notice.*—On receipt of such application, the Assistant Collector shall give to the opposite party and to the landholder and, where the provisions of section 51 of the Act apply, to the lessee, mortgage or other encumbrancer, an opportunity to show cause why the exchange should not be ordered. Every such notice shall be accompanied by a copy of the application which shall be filed by the applicant.

14. *Disposal of objections and further procedure.*—(1) The Assistant Collector shall hear and decide the objections, if any, and may after making such further enquiry as he considers necessary, reject the application, if he is not satisfied that reasonable grounds exist for ordering the exchange.

(2) If the Assistant Collector is satisfied that reasonable grounds exist for granting the exchange, he shall value the land to be exchanged by multiplying the area of each plot by the annual rent thereof calculated in accordance with rents of that class of that category of land finally determined under the provisions of section 21. After considering the valuation, and where the provisions of section 51 apply, the terms and incidents of the lease, mortgage or any other encumbrance, the Assistant Collector shall grant the application either in whole or in part

15. *Apportionment of rent.*—If, in the course of proceedings under section 49 of the Act, a portion only of a holding is allotted in exchange the Assistant Collector shall apportion the rent payable in respect of such holding between such portion and the remainder of the holding.

16. *Principles to be observed in ordering exchange.*—In ordering in exchange, the Assistant Collector shall observe the following principles:—

(1) That the land, which the applicant receives, is, as near as may be, equal in value to, and of the same equality as, the land which he gives in exchange;

(2) That an existing field shall not be sub-divided;

(3) If there is a work of improvement on any land sought to be exchanged, he may refuse to order the exchange unless the parties come to an agreement regarding the amount of compensation to be paid for such improvement and such compensation is actually paid;

(4) That, as far as possible, the interests of the lessee, mortgagee or other encumbrancer, if any, in respect of the land to be exchanged are not prejudiced;

(5) Where the provisions of section 51 of the Act apply, when deciding whether or not reasonable grounds exist for ordering the exchange, he shall consider whether in the event of the transfer of the lease, mortgage or other encumbrance from one area to another, it is possible or not, to place the parties and the lessee, mortgagee or other encumbrancer, as the case may be, in a position similar to that which each had before such exchange, and he shall, in his order, clearly specify the lands and the interest affected thereby.

17. *Preparation of map.*—The Assistant Collector shall place on the record of the case an extract of the village map showing in

different colours the plots given and received in exchange by the applicant.

## CHAPTER IV.

*Rules to give effect to the provisions of sections 50-54.*

### *Division of Holdings.*

18. *Valuation of the holding:*—Before making a division of a holding, the Tehsildar shall value each plot comprised in the holding by multiplying the area of each plot by the annual rent thereof calculated in accordance with rent of that class of that category of land finally determined under section 21.

19. *Principles to be observed:*—In dividing a holding into two or more portions, the following principles shall be observed:—

(a) The valuation of the portion allotted to each party shall be proportionate to his share in the holding.

(b) The portion allotted to each party shall be as compact as possible.

(c) As far as possible, no party shall be given all the inferior or all the superior quality of land.

(d) As far as possible existing fields shall not be split up.

(e) Plots which are in the separate possession of a tenant shall, as far as possible, be allotted to that tenant, if they are not in excess of his share.

20. *Preparation of map and demarcation of sub-divided fields.*—The Tehsildar shall prepare on the record a map showing in different colours the plots given to each party, and if any field has been sub-divided, he shall demarcate the portion at the expense of the parties.

21. *Decision of claim of more than one person to take holding in the event of sale:*—Where, with reference to the proviso to sub-section (2) of section 54, two or more claimants cultivating the same area claim to take the interest in a holding ordered to be sold under sub-section (1) of that section, the claim shall be decided in favour of a person belonging to a scheduled caste or tribe and, where there is no such person claiming as aforesaid, or where two or more claimants belong to a scheduled caste or tribe, the claim shall be decided by drawing lots.

## CHAPTER V.

*Rules to give effect to the provision of section 60-62.*

### *Arrangement for Payment of Rents.*

22. *Notice under Section 60:*—The written notice, which a tenant is required to give to the land-holder under sub-section (1) of



section 60 of the Act, shall be substantively as in Form 'P' and such notice shall be given before the tenant ceases to cultivate his holding and leaves the neighbourhood.

### *Abandonment.*

23. *Issue of proclamation*.—With the application mentioned in section 61, the land-holder shall file a proclamation in the office of the Tehsildar. Such proclamation shall be in Form 'Q'

24. *Mode of service of proclamation*.—Copy of the proclamation shall be posted on the notice board of the Tehsil within which the land to which it refers is situated and at some place of public resort on or adjacent to the land to which it refers and it shall further be published by beat of drum on or near such land, and if the Tehsildar so directs, it may also be published in some newspaper circulating in the locality.

25. *Form of application under section 62*.—The application for reinstatement under section 62 shall be in Form 'R'.

## CHAPTER VI

### *Rules to give effect to the provisions of Section 77 of the Act.*

25A. *Form of application under section 66 or section 67*.—An application by a Khatedar tenant under the first proviso to section 66, or by land-holder under section 67 of the Act, for sanction to the construction of a dwelling house for his own occupation or a cattle-shed, or a store house or any other construction for agricultural purpose to be erected or set-up him on his holding situated within the radius mentioned in the first proviso to section 66 shall be submitted to the Tehsildar of the Tehsil through the Patwari of the circle in which the holding is situated, in Form RR and the particulars required by that form shall be furnished.

25B. *Patwari's Report*.—The Patwari shall submit the application together with his report in Part II of Form RR to the Tehsildar within one week of the receipt by him of the application.

25C. *Consultation with Municipal Board*.—On receipt of the application in Form RR and the Patwari's report, the Tehsildar shall enquire from the Municipal Board concerned whether the said Board sees any objection to the proposed construction (of which particulars should be furnished to the Municipal Board) within Municipal limits; and the Tehsildar should inform the Board that if no reply was received by him within one month, it would be presumed that the Board had no objection.

25D. *Disposal of application*.—After considering the Patwari's report and the Municipal Board's reply, if any, and after making such further enquiry, if any, as he deems fit, the Tehsildar shall either accord sanction or reject the application:

Provided that the application shall not be rejected without giving the applicant an opportunity of being heard.

25E. *Circumstances in which sanction may be accorded.*—In according sanction the Tehsildar shall take into consideration the following matters—

(i) whether the proposed construction would definitely be an improvement within the meaning of clause (19) of section 5 of the Act;

(ii) if the construction for which sanction is applied for is a dwelling house, whether the construction of the proposed dwelling house on the holding is absolutely necessary for agricultural purpose;

(iii) Whether the proposed construction would be costly for the purpose which it is intended;

(iv) whether the applicant has already got a building for the convenient or profitable use or occupation of the holding in its immediate vicinity and if so, what is the justification for having a dwelling house on the holding itself;

(v) whether the applicant has a residential house in the Abadi of the village and if so whether the construction of a dwelling house on the holding itself is absolutely essential for agricultural purpose;

(vi) if the construction for which sanction is applied for is a cattle shed, whether a cattle-shed or cattle sheds already exist or exist on the holding and if so, whether the construction of a further cattleshed is necessary in consideration of the number of cattle belonging to the applicant; and whether the area to be covered by the proposed cattle-shed is excessive;

(vii) if the construction for which sanction is applied for is a store house, whether a store house or store houses already exist or exist on the holding and if so whether the construction of a further store house is necessary in consideration of the total annual produce for which storage accommodation is required; and whether the area to be covered by the proposed store house is excessive;

(viii) if the construction for which sanction is applied for is some construction other than a dwelling house, cattle-shed or store house, the Tehsildar shall consider whether any such construction is essential for the convenient or profitable use or occupation of the holding;

(ix) subject to the provisions of clauses (i) to (viii) above—

- (a) where the area of the holding exceeds fifty acres, the maximum area to be covered by dwelling houses, cattle-sheds, store houses and other constructions shall not exceed one acre in all and where the area of the holdings does not exceed fifty acres, the area to be covered by any such improvements shall not exceed one-fiftieth of the total area of the holding; and
- (b) there shall not be more than one dwelling house for the use of the tenant or the land-holder on his holding;

25F. *Circumstances in which the application shall be rejected.*—

The application shall be rejected if the proposed construction—

- (i) is not an improvement as defined in the Act;
- (ii) is too costly for the purpose for which it is intended; or
- (iii) is not an improvement which the applicant is entitled, to make.

26. *Contents of applications.*—(1) An application for the determination of the amount expended on an improvement shall give the nature and description of the improvement effected and shall be accompanied by a copy of the order (if any) permitting the execution of the improvement and an account of the amount expended, supported, so far as possible, by vouchers.

(2) Along with the application, the applicant shall also file an extract from the Khatauni in regard to the holding on or affecting which the improvement has been made.

27. *Issue of Notice.*—On receipt of the application, the Tehsildar shall invite objections by issuing notice to the opposite party, fixing a date for filing such objections.

28. *Inspection of the improvement.*—If an objection is filed disputing the nature or description of the improvement, or the amount expended thereon, the Tehsildar shall either inspect the improvement himself and place on record his inspection note, or direct an officer not below the rank of Inspector of Land Records to inspect it and to report in accordance with the procedure laid down in rules 10-12 of Order XXVI of the Civil Procedure Code, on the points to be clearly specified by him.

29. *Disposal objection and determination of amount.*—The Tehsildar shall then dispose of the objection and determine the amount expended on the improvement and enter it in the register prescribed in rule 30.

30. *Register of Improvement.*—A register shall be maintained in the court of every Tehsildar in the following form:—

No.	Name of the village & No. of Khewat concerned	No. of the plot & No. of Khat-auni on or affecting which the improvement is made	Nature & description of the improvement	No. & date of the order granting permission to make the improvement	Name of the person at whose expense the improvement is made	Remarks.
	1	2	3	4	5	
	Whether the person making the improvement is a land-holder or a tenant & if a tenant, his class.	Cost of improvement as determined by the court.	Particulars of the case, & date of the order with signature of the Tehsildar who determined the cost.			
	7	8	9	10		

*Note:*—This register shall be retained in the record room permanently.

### CHAPTER VI A.

*Rules to give effect to the provisions of Section 80 of the Act.*

30 A. *Contents of application.*—If trees, in any field at the time of commencement of the Act are the property of any person other than the Khatedar tenant, such owner shall make an application to the Tehsildar of that area for determining the amount of compensation to be given by the Khatedar tenant in occupation of the holding. The application should contain:—

- (1) Name and full address of the tenant in occupation of the holding;
- (2) An extract from Khatauni in regard to the holding on which trees are standing;
- (3) Nature and description of trees;
- (4) Account of expenditure incurred on the trees;
- (5) Annual income from the trees;
- (6) Compensation claimed.

30 B. *Issue of Notice.*—On receipt of the application the Tehsildar shall invite objections by issuing notice to such tenant, fixing a date for filing such objections.

30 C. *Inspection of the holding.*—If an objection is filed disputing the nature of description of the scattered trees on the holding and the amount spent thereon, the Tehsildar may inspect the site in presence of the parties and place on record his inspection note.

30 D. *Decision on objections and determination of compensation.*—The Tehsildar shall then dispose of the objections if any, and determine the amount of compensation, not exceeding the amount claimed having regard to:—

- (a) The labour and capital required for painting such trees;
- (b) The nature and kind of the soil of the land on the locality in which such trees stand;

(c) market value of the timber, and

(d) the average annual income of the fruits or the produce of such trees.

30 E. *Deposition of compensation amount*.—(a) The Tehsildar shall then order the Khatedar tenant to deposit the amount of compensation within two months of the order or in suitable cases may also provide for payment in instalments.

(b) The Tehsildar shall inform the owner, when the money is deposited and shall pay the same to him as soon as he requests for it.

## CHAPTER VII

*Rules to give effect to the provisions of Section 84.*

31. *Licenses*.—The licenses referred to in subsection (5) of section 84 may be (1) Special or (2) General and shall be in Form 'S'.

32 *Special licenses*.—(1) Special licenses are licenses issued for a period not exceeding one month.

(2) A special license may be granted for the removal of any specified tree or class of trees, and may be for all or any of the following purposes and for no other purpose:—

(a) to meet any special requirements of the land-holder or the tenant, as the case may be;

(b) to mitigate any real existing grievance of either of them with reference to the land or its produce, or

(c) to help any works of construction by or on behalf of the village community.

33. *General licenses* —(1) General licenses are licenses issued for a period exceeding one month.

(2) Subject to the other provisions of these rules, a general license for the removal of all or any class of trees standing on occupied or unoccupied land may be granted in the following cases:—

(a) for the removal of trees standing on occupied land, when it has been proved to the satisfaction of the licensing authority that such removal is necessary for the extension of cultivation or other agricultural activity of the land-lord or the tenant as the case may be;

(b) for the removal of trees standing on unoccupied lands, when such removal is necessary:—

(i) for the extension of cultivation, or

(ii) in the interest of plantation of new trees, or

(iii) in the case of fruit trees, on account of such trees having become over-mature, and rot and deterioration having set therein, or

(iv) on account of such trees being so dense in growth that they affect the fertility of the soil or otherwise cause damage to the soil or standing crops, if any.

Provided that in cases (ii), (iii) and (iv), the Divisional Forest Officer of the Division shall always be consulted and the license issued only in accordance with the advice given by the Divisional

Forest Officer. If the licensing authority does not agree with the advice given by the Divisional Forest Officer, he shall record his reasons therefor and forward the case for further advice to the Chief Conservator of Forests, Rajasthan. The licensing authority shall be bound by the advice of the Chief Conservator of Forests and shall issue the license only in accordance with such advice.

34. (*Omitted*).

35. *Licence Fee*.—(1) A special licence shall be issued free of charge and shall endure for a period of one month only from the date of issue or, if a shorter period is mentioned therein, then for such shorter period, and no renewal thereof shall be permissible.

(2) A general licence shall be issued on payment of anna one -/1/- per tree or Rs. 5/- per acre, whichever is less. The period of general licence shall be determined by the licensing authority at the time of issue thereof, and no renewal thereof shall be permitted.

(3) Nothing in this rule shall prevent the issue of a fresh licence where a licence has expired, provided the issue of a fresh licence shall in all respects be governed by these rules.

36. *Considerations to be had in granting licences*.—(1) Before granting a licence, the licensing authority shall enquire into the grounds on which the applicant desires such a licence, as also into the justification thereof, and shall allow removal of such tree or trees only as may be sufficient to satisfy the particular needs of the applicant without such removal being harmful to others or being likely to impair or otherwise disturb the general village economy.

(2) In granting general licences the following further considerations shall be kept in view:—

(a) that the proposed removal is likely to prove useful and beneficial to the general public and serve their genuine need for fuel or timber, or is in the interest of the applicant, such interest not being in conflict with the general welfare;

(b) that the proposed removal is not likely to—

(1) cause excessive denudation of land, or

(2) to lead to soil erosion, or

(3) to impair agricultural economy.

37. *Conditions of licence*.—It shall be a condition of every licence granted under the Act that the removal of trees shall be done—

(a) within the period mentioned in the licence, and according to the tenor thereof;

(b) without causing damage to the land, standing crops, grass or trees or buildings of neighbours.

38. *Inspection of licences*.—All licences issued under these rules shall be liable to inspection by any Revenue Officer, any Forest Officer or by a Police Officer not below the rank of Sub-Inspector of Police, and any breach of the terms of the licence or irregularity

in the issue of the same shall be reported by the officer detecting it to the authority which has issued the licence.

39. *Cancellation of the licence*:—The authority competent to issue a licence under the Act may, at any time, cancel the same where—

(1) the licensee contravenes any of the terms and conditions of the licence or fails to produce it for inspection in the manner required in rule 38, or

(2) it is subsequently discovered that the licensee has misrepresented facts to secure the licence.

40. *Surrender of licence*:—(1) licence shall be surrendered to the licensing authority within 15 days of the expiry of the period thereof.

(2) *Register of licences*:—A register of licences in Form 'S' shall be maintained and kept up-to date at every Tehsil.

### CHAPTER VIII.

*Rules to give effect to the provisions of sections 114 and 117 of the Act.*

41. *Publication of rent rates*:—The Rent Rate Officer shall publish his proposals regarding rent rates and records made by him under sections 111 to 113 of the Act, dispose of objections thereto and submit to the Board his proposals and record made by him, after such modification, if any, as he may think fit, in the manner as may be laid down in the Rajasthan Settlement Manual for Settlement Officer in respect of such matters.

#### *Dispute as to rent in certain cases.*

42. *Enquiry to be held by the Tehsildar*:—On receipt of an application mentioned in section 117 (2) the Tehsildar shall fix a date for hearing in the presence of the applicants. The opposite party shall be served with a notice along with a copy of the application specifying the place and time of appearance. The parties shall be required to appear with all the evidence on which they may rely.

43. On the aforesaid date Tehsildar shall ascertain from the opposite party if he admits the claim. In case he so admits, the Tehsildar shall give his award accordingly.

Where the opposite party does not so admit, the Tehsildar shall record the evidence of the parties, examine the documentary and oral evidence that may be produced before him and shall also inspect the entries in the Revenue records, If any, and thereafter he shall give his award.

### CHAPTER IX.

*Rules to give effect to the provision of section 139-140 of the Act.*

44. *Deposit of rent in Tehsil*:—A register shall be maintained by the Tehsildar showing in respect of every sum deposited—

#### *Receipt.*

(1) the serial number of the deposit;

(2) the date of receipt thereof;

- (3) the name, parentage, caste and residence of the depositor;
- (4) the name, parentage, caste and residence of the person specified under section 139 of the Act, to whose credit the deposit has been paid;
- (5) the amount deposited;
- (6) the date of payment into the treasury and the challan number.

*Payment.*

- (7) the serial number of the application for payment of refund;
- (8) the date of applicant for payment or refund;
- (9) the date of the order for payment or refund;
- (10) the name, parentage, caste and residence of the person to whom payment or refund is ordered;
- (11) the amount ordered to be paid;
- (12) the date of payment or refund by the treasury;
- (13) lapses under Artical 328 of the Rajasthan General Financial and Accounts Rules.

45. Every deposit received by the Tehsildar shall be paid as soon as may be into the nearest Government treasury and a treasury receipt filed with the record of the case.

46. When the date of payment into the treasury has been entered in the register, the Tehsildar shall sign the register in token of the correctness of the entries made therein in respect of the deposit.

47. After the provisions of rules 44, 45 and 46 have been complied with, the court shall issue notice in Form 'T' to the person or persons specified in column 4 of the register prescribed by rule 44.

48. When an order has been passed for the payment of a deposit, a voucher, in the form prescribed by the Rajasthan General Financial and Accounts Rules, shall be handed to the person in whose favour the order for payment is made.

49. In every such voucher and in the counterfoil of every such voucher, the amount to be paid shall be entered in figures by the Tehsildar with his own hand;

50. The number and date of the voucher shall be entered in the record of the application for payment.

51. If a voucher for payment is not presented within three months from the date on which it was drawn up, encashment of it shall be refused, and a fresh voucher must be obtained (a) upon surrender and cancellation of the original voucher, or (b) if the voucher has been lost, upon receipt by the Tehsildar of a certificate of non-payment thereof from the treasury.

52. Every cancelled voucher shall be forwarded to the treasury, and a note of the cancellation made on the counterfoil of the original voucher.



53. When an intimation of payment having been made is received from the treasury, the date of payment shall be entered in the register, and the Tehsildar shall sign the register in token of the correctness of the entries made therein respect of the payment.

54. If a deposit is unclaimed for a period of three years, the Tehsildar shall summon the depositor and direct him to submit a written application for refund of the deposit. On receipt of the application, and after satisfactory identification by the Tehsildar of the person who appears in response to the summon and claims to be the depositor, the procedure followed shall be similar to that in the case of applications from land-holders.

55. The Reader of each Tehsil shall be responsible for bringing to the notice of the Tehsildar all unclaimed deposits; and he shall for this purpose bring up the register for the examination and signature of the Tehsildar in the first week of every quarter commencing from January.

56. Such comparison and adjustment of the entries in the register and in the treasury returns shall be made as may, from time to time, be necessary.

## CHAPTER X

*Rules to give effect to the provisions of section 147 of the Act.*

57. The return of market prices current at the harvest time as laid down in section 147 shall be prepared by the Collector or the basis of the returns submitted to him from each Tehsil in accordance with the provisions contained in para 243 of the Rajasthan Land Revenue (Land Records) Rules. A copy of the return so prepared shall be sent to the Tehsil concerned for being posted on the Notice Board of the Tehsil.

## CHAPTER XI

*Rules to give effect to the provisions of sections 169, 171, 174 to 176, 177 and 178 of the Act.*

*Notice of Ejectment to Tenants.*

58. *Contents of application.*—(1) An application to the Tehsildar under section 169 of the Act shall contain the following particulars:—

(a) the name, parentage, caste and place of residence of the land-holder;

(b) the character in which the applicant claims to eject the tenant, e.g. whether as an estate holder, or a grantee at a favourable rate of rent, or as a tenant-in-chief who has sublet the land from which ejectment is sought.

(c) the name, parentage, caste and place of residence of the tenant;

(d) the total amount of arrears of rent and interest claimed with a statement of account showing the arrears and interest claimed for each instalment;

(e) the khasra numbers and area of each plot comprising the holding, together with the name of the Tehsil and District, Village and Thok or Patti in which the holding is situated.

(2) An application under section 174 of the Act shall contain the particulars specified in clauses (a) to (c) and (e) of sub-rule (1) above and shall also be accompanied by a copy of the decree.

(3) An application under section or section 177 of the Act shall contain, in addition to the particulars specified in clauses (a) to (c) and (e) of sub-rule (1), the ground on which ejectment is sought.

59. *Varification of application*.—An application referred to in rule 58 shall be signed by the applicant in the same manner as a plaint.

60. *Notice*.—(1) With the application referred to in Rule 58, the applicant shall present as many duplicate copies of notice as there are tenants (and, in the case of an application under section 175, transferee or sub-tenant) to be served with such notice, and shall also deposit the necessary process-fee for the service of such notice.

(2) The form of notice to be used in an application under each of the sections mentioned in sub-rule (1) is noted below:—

Application under section 169, Form U.

Application under section 174, Form V.

Application under section 175, Form W.

Application under section 177, Form X.

(3) *Refusal to issue notice*.—The court shall refuse to issue the notice if it does not comply with the requirements of sub-rules (1) and (2).

(4) In the case of land held directly from the State Government the notice by the Tehsildar shall be in Form U (1).

61. *Determination of the part of the holding from which a tenant is to be ejected*.—If the amount payable on account of the arrear of rent with interest (as ordered by the Tehsildar) or with interest and cost (as decreed by the court) as the case may be, remains unpaid under sub-section (1) of section 170 or sub-section (3) of that section, the Tehsildar shall order the ejectment of the tenant from the whole or a portion of his holding in accordance with the following scale:—

When the unpaid amount exceed 80 per cent of such amount

When the unpaid amount exceeds 60 per cent but does not exceed 80 per cent of such amount,

When the unpaid amount exceeds 40 per cent, but does not exceed 60 per cent of such amount.

When the unpaid amount is 40 percent, or less of such amount.

from the entire holding.

from 3/4ths of the holding.

from one half of the holding.

from 1/4th of the holding.

Provided that if the residue of the holding left with the tenant is less than the minimum prescribed by the State Government for

determine the rent payable by the tenant for the remaining land. The rent so payable shall bear the same proportion to the rent previously payable for the whole holding as the valuation of the remaining land in the possession of the tenant bears to the total area of the holding.

### CHAPTER XIII

*Rules to give effect to the provisions of sections 186-188 of the Act.*

*Remedies for wrongful ejectment.*

73. An application under section 186 of the Act shall contain the following particulars:—

(1) Name, parentage, caste and residence of tenant with class of tenant;

(2) Name of village with name of Tehsil and District;

(3) Name of Thok or Patti;

(4) Name, parentage, caste and residence of other person now in possession;

(6) Khasra numbers of fields;

(7) Area of fields;

(8) Annual rent of holding; and

(9) Date of ejectment or dispossession.

74. The applicant shall file with the application as many copies of it as there are land holders and other persons in possession to be served with notice.

75. If the application complies with the provisions of rules 73-74, the Assistant Collector shall issue a notice.

76. The fee for the service of the notice shall be the same as the fee for the service of summonses and processes of Revenue courts.

77. The notice shall be served in the manner prescribed by sub-section (2) of section 167 of the Act.

78. The notice to the land-holder and the other person in possession shall be in Form 'Z'.

79. If the land-holder and/or the other person in possession appears to contest the notice, the Assistant Collector shall hear and decide the case.

### CHAPTER XIV

*Rules to give effect to the provisions of section 213 of the Act.*

*Sale of khatedar tenant's interest in execution  
of decree for arrears of rent.*

80. *Valuation of tenant's holding*—On receiving an application for the execution of a decree for arrears of rent by the sale of a tenant's interest in his holding, the court shall value the holding by multiplying the area of the plot or plots comprised therein by the annual rent thereof calculated in accordance with the rent of that class of that category of land finally determined under section 21 of the Act. If no such rates have been sanctioned, the court shall

determine appropriate rates after making local inspection and considering the rent generally payable by tenants for land of the same class in the vicinity.

81. *Sale of interest in part of a holding.*—If a holding consists of more than one plot, and the decree is, in the opinion of the court, likely to be satisfied by selling the interest in a part only of the holding, the court shall distribute the rent of the holding over the plots constituting it so that the rent allotted to each plot bears to the total rent of the holding the same proportion as the valuation of that plot bears to the total valuation of the holding at such rates. If the interest of the tenant is to be sold in lots, the court shall group the plots of the holding into lots, of which the value of the interest of one lot calculated in accordance with Rule 80 shall be not less than the amount due to the decree-holder under the decree in execution of which such interest is being sold.

Provided that no lot shall be formed by splitting up any existing field, and that the plots formed shall be as compact as possible:

Provided further that no plot thus formed shall be of an area less than the minimum prescribed by the State Government for the district or part thereof in which the land is situated.

82. *Proclamation of sale.*—In addition to the particulars required by sub-rule (2) of Rule 66 of Order XXI of the First Schedule of the Code of Civil Procedure, 1908, the sale proclamation shall mention the Khasra number, the area and the rent of the holding or part thereof which is to be sold, and if the holding is to be sold in lots, the Khasra numbers, area and rent of each lot.

83. *Place of sale.*—The sale shall be held either in open court or at the place where the holding is situated, as the court may direct.

84. *Procedure of sale.*—In conducting the sale, the court shall follow the procedure relating to sales of immovable property in execution of a decree prescribed in Order XXI of the First Schedule of the Code of Civil Procedure, 1908.

85. When two or more sub-tenants or agriculturists residing in the village, who claim to take the interest of a khatedar tenant sold in execution of a decree under section 213 of the Act, cultivate an equal area in the village, or when two or more agricultural or other labourers or village servants residing in the village claim to take such interest, such claim shall be determined by drawing lots.

86. As soon as the order confirming the sale has become final, the court shall order that the tenant be ejected from, and the purchaser be put in the possession of, the holding or portion of the holding of which tenant's interest has been sold. Unless the purchaser is the landholder, he shall have the same interest in the holding or part, of which the interest has been purchased by him, as the tenant had; and the purchaser shall be liable to pay for the holding or part

thereof, the rent specified in the proclamation of sale, and the court shall order that the village records be amended accordingly.

## CHAPTER XV

*Rules to give effect to the provision of sections 239 and 242 of the Act.  
Question of Proprietary Right in Revenue courts  
and of Tenancy Right in Civil courts.*

87. *Process fee to be paid by party raising the issue.*—A revenue court shall, before forwarding the record to the civil court under the provision of section 239 of the Act, require the party who has raised the question of proprietary right in the land in suit to pay the process fees for the issue of notices by the civil court for the attendance of the parties between whom such question has arisen and shall note in its order forwarding the record to the civil court that such process-fees have been realised. Such fees shall be charged in court fee stamps.

88. *Notice to parties.*—Where a record is received by a civil court with a notice that the necessary process fees have been paid in the court which has forwarded the record, it shall issue notices to both parties without cost as to the first date of hearing fixed by it.

89. *Reference to civil court.*—Where an issue on a question of a proprietary right is framed by a revenue court under the provisions of section 239 (1) of the Act, it shall submit the entire record of the case to the District Judge who shall forthwith forward it to the Competent civil court for the decision of that issue.

90. *Entry in the case register.*—The date of despatch of the record to the civil court shall be entered in red ink by the Ahalmad in the remarks column of the case register. When the record is received back from the civil court together with its finding on the issue, the date of return of the record shall be similarly entered in red ink in the remarks column of the case register.

91. *Classification of papers, Nathi A and Nathi B.*—Before the record is consigned to record room, the Ahalmad of the court shall classify the papers on the reference file added by the civil court and put them in Nathi A or Nathi B, as the case may be, and shall note the classification against each paper entered in the general index of the reference file received from the civil court.

92. *Reference from civil court.*—On receipt of a record under the provisions of section 242 of the Act for the decision of the issue on the question of tenancy, the Collector shall forthwith forward the record to the appropriate revenue court for the decision of that issue.

93. *Entry in the register of reference.*—On receipt of the record, the Ahalmad shall immediately make an entry thereof in the register of references maintained under rule 94 and shall endorse on the reference the serial number of the said register. When the

record is sent back to the civil court together with the finding of the revenue court, the date of the return of the record shall be similarly entered in the remarks column of the register.

94. *Register of reference*.—For references received under the provisions of section 242 of the Act, a Register of References shall be maintained in the court of each Assistant Collector in the following form.

S. No. of reference.	S. No. of case on the file of civil court.	Name of Civil court making reference.	District and Village.	Name of parties.	Nature of case with reference to "section" of Law.	Date of receipt of record with reference.	Date of return of record with finding.	Remarks.
1	2	3	4	5	6	7	8	9

95. *Reference file*.—(1) The papers added to the record of the civil court, while it is in the revenue court shall not be classified and put in Nathi A or B, but shall be kept in a single file called "the reference file." A serial number shall, however, be endorsed on each paper, as it is entered in the fly index and brought on the reference file.

(b) The reference file shall be added to the civil court record as soon as the revenue court has recorded its finding and the record so prepared with the finding shall be returned direct to the civil court from which it was originally received.

96. *Reference to be shown in the monthly return*.—References received from the civil courts shall be shown separately in the monthly progress report of cases submitted by revenue courts to the Collector and also in the statement of institutions and disposals.

## CHAPTER XVI.

### *Rules relating to affidavits.*

97. *Swearing of affidavit*.—Every affidavit to be filed before a Revenue Court or Office shall be sworn before an Oath Commissioner appointed for the purpose.

98. *Fee*.—The fee for the verification of an affidavit shall be one rupee.

99. *Full particulars of persons and place to be given*.—An affidavit shall fully describe the person swearing the affidavit with such particulars as will ensure his clear identification such as his full name, the name of his father, his religious persuasion, his rank or degree in life, his profession, calling, occupation or trade and his true place of residence. Any person or place referred to in an affidavit shall be fully described in such manner as to enable his or its identity to be clearly fixed.

100. *Persons who may make affidavits*.—Except as otherwise provided by law or by an order of the Court, an affidavit may be

sworn by any person having knowledge of the facts deposed to therein.

Two or more persons may join in an affidavit, each deposing separately to such facts as are within his knowledge.

101. *Forms of affidavits.*—When the deponent speaks to any facts within his own knowledge, he must do so directly and positively using the words "I affirm" or "I make oath and say" or words to that effect.

102. *Facts to be within the knowledge or sources be stated.*—Except on interlocutory applications, affidavits shall be confined to such facts as the deponent is able of his own knowledge to prove.

On an interlocutory application when a particular fact is not within the deponent's own knowledge but is based on his belief or information received from others which he believes to be true, the deponent shall use the expression "I am informed and verily believe such information to be true" or words to that effect, and shall sufficiently describe, for the purpose of identification, the person or persons from whom his information was received.

When any fact is stated on the basis of information derived from a document, full particulars of that document shall be stated and the deponent shall verify that he believes such information to be true.

103. *Identification of deponent.*—Every person swearing an affidavit shall, if not personally known to the person before whom the affidavit is sworn, be identified before that person by some one known to him, and in such case the person before whom the affidavit is made shall state at the foot of the affidavit the name, address and description of the person by whom such identification was made.

Such identification may be made by a person:—

(a) personally acquainted with the person to be identified, or

(b) who is reasonably satisfied as to his identity.

Provided that in the latter case, the person so identifying shall sign at the foot of the affidavit a declaration in the following form, after there has been affixed to such declaration in his presence the signature or thumb impression of the person so identified namely:—

*Form of Declaration.*

'I (name description and address) declare that I am satisfied on the grounds stated below that the person making this affidavit and alleging himself to be A/B is that person'.

104. *Affidavit by Pardanshin woman.*—No affidavit purporting to have been sworn by a woman who did not appear unveiled in the presence of the person before whom the affidavit was made, shall be used unless she was identified in the manner specified in Rule 103, and the affidavit is accompanied by a separate affidavit by the person identifying her made at the time of identification setting forth

circumstances in which she was personally known to him or he was satisfied that she was such person as she alleged herself to be in her affidavit.

105. *Forms of Oaths.*—The following forms of oaths and affirmations as prescribed under section 7 of the Indian Oaths Act by the High Court of Judicature for Rajasthan shall be used in the Revenue Court and Offices:—

(1) *Oaths for witness* —“The evidence which I shall give to the court shall be the truth, the whole truth, and nothing but the truth, so help me God”.

(2) *Affirmation for witness.*—“I solemnly affirm that the evidence which I shall give of the Court shall be the truth, the whole truth, and nothing but the truth”.

(3) *Oath for interpreter.*—I will well and truly interpret what is deposed by the witness (or witnesses) before the Court, so help me God”.

(4) *Affirmation for interpreter* —“I solemnly affirm that I will well and truly interpret what is deposed by the witness (or witnesses) before the Court”.

(5) *Oath for person making affidavit.*—“I swear that this my declaration is true; that it conceals nothing; and that no part of it is false, so help me God”.

(6) *Affirmation for person making an affidavit.*—“I solemnly affirm that this my declaration is true; that it conceals nothing; and that no part of it is false”.

FORM H (1).

(See Rule 3/B R.)

[ Omitted ]

FORM I

(See Rule 4/B.R.)

[ Omitted ]



sworn by any person having knowledge of the facts deposed to therein.

Two or more persons may join in an affidavit, each deposing separately to such facts as are within his knowledge.

101. *Forms of affidavits*—When the deponent speaks to any facts within his own knowledge, he must do so directly and positively using the words "I affirm" or "I make oath and say" or words to that effect.

102. *Facts to be within the knowledge or sources be stated.*—Except on interlocutory applications, affidavits shall be confined to such facts as the deponent is able of his own knowledge to prove.

On an interlocutory application when a particular fact is not within the deponent's own knowledge but is based on his belief or information received from others which he believes to be true, the deponent shall use the expression "I am informed and verily believe such information to be true" or words to that effect, and shall sufficiently describe, for the purpose of identification, the person or persons from whom his information was received.

When any fact is stated on the basis of information derived from a document, full particulars of that document shall be stated and the deponent shall verify that he believes such information to be true.

103. *Identification of deponent.*—Every person swearing an affidavit shall, if not personally known to the person before whom the affidavit is sworn, be identified before that person by some one known to him, and in such case the person before whom the affidavit is made shall state at the foot of the affidavit the name, address and description of the person by whom such identification was made.

Such identification may be made by a person:—

(a) personally acquainted with the person to be identified, or

(b) who is reasonably satisfied as to his identity.

Provided that in the latter case, the person so identifying shall sign at the foot of the affidavit a declaration in the following form, after there has been affixed to such declaration in his presence the signature or thumb impression of the person so identified namely:—

*Form of Declaration.*

'I (name description and address) declare that I am satisfied on the grounds stated below that the person making this affidavit and alleging himself to be A/B is that person'.

104. *Affidavit by Pardanshin woman.*—No affidavit purporting to have been sworn by a woman who did not appear unveiled in the presence of the person before whom the affidavit was made, shall be used unless she was identified in the manner specified in Rule 103, and the affidavit is accompanied by a separate affidavit by the person identifying her made at the time of identification setting forth

circumstances in which she was personally known to him or he was satisfied that she was such person as she alleged herself to be in her affidavit.

105. *Forms of Oaths.*—The following forms of oaths and affirmations as prescribed under section 7 of the Indian Oaths Act by the High Court of Judicature for Rajasthan shall be used in the Revenue Court and Offices:—

(1) *Oaths for witness* —“The evidence which I shall give to the court shall be the truth, the whole truth, and nothing but the truth, so help me God”.

(2) *Affirmation for witness.*—“I solemnly affirm that the evidence which I shall give of the Court shall be the truth, the whole truth, and nothing but the truth”.

(3) *Oath for interpreter.*—I will well and truly interpret what is deposed by the witness (or witnesses) before the Court, so help me God”.

(4) *Affirmation for interpreter* —“I solemnly affirm that I will well and truly interpret what is deposed by the witness (or witnesses) before the Court”.

(5) *Oath for person making affidavit.*—“I swear that this my declaration is true; that it conceals nothing; and that no part of it is false, so help me God”.

(6) *Affirmation for person making an affidavit.*—“I solemnly affirm that this my declaration is true; that it conceals nothing; and that no part of it is false”.

FORM H (1).

(See Rule 3/B.R.)

[ Omitted ]

FORM I

(See Rule 4/B.R.)

[ Omitted ]

## FORM J

(See Rule..... 4/B.R)

Statement of claim for compensation for accrual of Khatedari rights and rights in improvement.

In the Court of the Sub-Divisional Officer....      ....  
 ..... District.....

Claim for compensation for accrual of khatedari rights and rights in improvement.

Sir,

As required by sub-section (1) of section 20 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955), and rule 4/BR of the Rajasthan Tenancy (Board of Revenue) Rules, 1955, I hereby submit my claim for the compensation payable to me for the (a) accrual of khatedari rights and (b) rights in improvement to my tenant of khudkasht\* sub-tenant.

2. The particulars of land to which this claim relates and of the landholder and the tenant are given below:—

1. Name, parentage, age and full address of the landholder (Claimant).
2. Name, parentage, age and fully, address of tenant of khudkasht/sub-tenant to whom right accrued.
3. Name of village, with name of Tehsil.
4. Khewat No.
5. Khasra No. and name (s), if any, or field (s).
6. Whether irrigated or un-irrigated.
7. Existing soil class.
8. Exact area in which rights accrued under section 19.
9. Rent rate sanctioned therefor during last settlement or if clause (b) of sub-section (1) of section 23 applies, rent-rate sanctioned during last settlement for similar land in neighbourhood.
10. Amount of compensation claimed for acquisition of Khatedari rights.

11. Particulars of improvement in which rights accrued to tenant.
12. Year in which improvement was made.  
Cost of improvement at the time it was made.
13. Cost of improvement at the time it was made.
14. Present condition of work.
15. Extent to which improvement is likely to benefit the land during next 10 years.
16. Compensation claimed for rights in improvement.
17. Total compensation claimed under both heads.
18. Remarks.

Signature.

Date.....

\*(Strike out whichever is not applicable).

FORM 'K'  
(See Rule 5/B.R)

Form of Notice under sub-section (2) of section 20.

NOTICE

In the Court of the Sub-Divisional Officer.....

..... District.....

Case No..... of 19 .

AB S/o CD resident of ..... Applicant.

*Versus*

..... Opposite party.

Statement of claim for compensation for accrual of Khatedari rights.

Whereas the applicant mentioned above has, as required by sub-section (1) of section 20 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955) and rule 5 of the Rajasthan Tenancy (Board of Revenue) Rules, 1955, submitted a statement of his claim for the compensation, payable to him for the accrual of Khatedari rights and rights in improvement made by you, you are hereby

summoned to appear in this court either personally or by a pleader duly instructed and able to answer all material question relating to the case, or who shall be accompanied by some person able to answer all such question on..... (date) (date to be so fixed as to allow the tenant atleast 30 days in which to file objection). A copy of the claim for compensation is attached hereto and if you do not admit the particulars given therein to be correct, you are asked to produce, on that date, all documents on which you intend to rely in support of your claim. Take notice that in default of your appearance on the aforesaid date, the case will be heard and decided in your absence.

Given under my hand and seal of the Court this day.....  
 .....year.....

Sub Divisional Officer,  
 .....

FORM L  
 (See Rule S/BR.)

Application under section 36 A for acquisition of right to Nalbat.

In the Court of the Sub-Divisional Officer.....  
 .....District.....  
 .....S/o.....applicant.

*Versus*

.....S/o..... Opposite party.

Application under section 36 A for acquisition of right to Nalbat only.

Sir,

I, AB S/o CD, caste.....aged.....  
 resident of.....Tehsil.....District.....  
 hereby state as under :—

(1) That I am a tenant of EF S/o GH, caste.....  
 resident of.....Tehsil.....District.....  
 .....in respect of the land, particulars whereof are given hereunder.

(2) That I have been Khatedar tenant since before the commencement of the \*Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955)/Rajasthan Revenue Laws (Extension Act, 1957 (Rajasthan Act No. 2 of 1958) or acquired Khatedari rights under section 16/15 B in the said land.

(3) That there is a well, bearing No .....or known as .....attached th the aforesaid land and the right to Nalbat in respect of the said well is vested in IJ S/o KL, Cast),....Resident of ... ..Tehsil .....District ... .. who is a person other than landholder.

(4) That I wish to acquire the right to Nalbat in accordance with sub-section (1) of section 36 A and therefore, pray that necessary action may kindly be taken.

#### Perticulars of land.

1. Name of village with Thok or Patti.
2. Khasra No. and Name (s) if any of the field (s).
3. Area in Bighas/Acres.

Description of well.

---

\*Strike out whichever is in applicable.

#### FORM M

(See Rule 9/BR.)

Form of Notice under sub-section (2) of section 36-A.

#### NOTICE

In the Court of the Sub-Divisional Officer.... ..  
District.....

Case No..... of 19 .

.....S/o.....Applicant.

*Versus*

.....S/o.....Opposite Party.

Application under sub-section (1) of section 36-A of the Tenancy Act for acquisition of rights to Nalbat.

Whereas the applicant mentioned above has made an application for the acquisition of rights to Nalbat under sub-section (1) of section 36 A of the Tenancy Act, you are hereby summoned to appear in this Court either personally or by a pleader duly, instructed and able to answer all material questions relating to the case, or who shall be accompanied by some person able to answer all such question on..... (date) (date to be so fixed as to allow the tenant atleast 30 days in which to file objection). A copy of the said application is attached hereto and if you do not admit the particulars given therein to be correct, you are asked to produce on that date all documents on which you intend to rely in support of your claim. Take notice that, in default of your appearance on the aforesaid date, the case will be heard and decided in your absence.

Given under my hand and the Seal of the Court this day... ..

.....year.....

Sub-Divisional Officer,

.....

A copy of the notice is forwarded

to.....

S/o.....Caste.....

(Landholder) at.....

(Address)

FORM N.

(See Rule 10/B. R.)

REPLY TO THE NOTICE U/S 36-A. OF THE ACT.

In the Court of Sub-Divisional Officer .....

District.....

Case No.... ....195 .

.....S/o..... .. Applicant.

*Versus.*

..... S/o..... ..... Opposite party

*Application for acquisition of right to Nal-bat.*

Sir,

In reply to your notice dated ... .. I hereby submit that I do not wish to contest the application/ that I contest the application on following grounds:—

( Ground to be mentioned ).

I claim compensation and submit my claim as below:—

*Claim for Compensation for acquisition of right to Nal-bat under Section 36-A.*

1. Parentage, caste, age and residence of claimant  
i.e. person other than landholder in whom right to Nal-bat vests.
2. Name of applicant for acquisition of right in Nal-bat, parentage, caste, age and residence.
3. Name of landholder with parentage, caste, age and residence.
4. Particulars of land in which applicant claims that khatedari rights have accrued—  
Name of village, Thok or Patti, with name of Tehsil, Sub-Division and District, Khasara No. and Name/Names, if any of field/fields and Area in Bighas.
5. If Nal-bat realised in cash, the annual amount paid during each of preceding 5 years.
6. If Nal-bat realised in kind, quantity of produce delivered as Nal-bat during the preceding 5 years.
7. Total period during which benefits from well in respect of which Nal-bat is claimed have accrued to tenant (applicant).



8. Particulars of the well viz.—

- (i) Name of well and Khasra No. in which situated.
- (ii) Time of construction.
- (iii) Present condition.
- (iv) Area irrigated in a normal year.      (in Bighas/Acres).
- (v) Average present cost of construction of such well.
- (vi) Probable extent of future utility of well.

9. Remarks.

Signature....      ....S/o....      ....  
Caste.....      ....Resident of.....      ....  
(Claimant).

State out whichever is inapplicable.

FORM O.

(See Rules 11/B/R.)

CERTIFICATE OF [ACQUISITION] OF RIGHT TO NAL-BAT  
UNDER SECTION 36-A.

In the Court of....      ....  
Case No....      .... of 195      . . .  
....      ....S/o....      ....      ....Applicant.

*Versus.*

....      ....S/o....      .... Opposite party. ...

This is to certify that (1)....      ....S/o....      ....  
Caste....      .... aged....      ....resident of ...      ....  
Tehsil....      .... District....      .... has acquired  
right to Nal-bat in respect of the well specified below with effect  
from....      ....(date) .

(2) That the said tenant is liable to pay Rs ..      ....  
Rupees ...      ....in words) as compensation to....      ....  
....      ....(owner of Nal-bat right) in a lump sum/ in instalments  
of Rs.....each payable on.....      .... (date)

(3) The amount of compensation has been paid in full\*that the tenant has agreed to pay the amount of compensation by instalments as specified above, and the said compensation shall be a charge upon the holding and produce next after the charges for rent and revenue in respect thereof. The tenant shall be incompetent to alienate the holding unless and until the total amount of compensation as aforesaid has been paid in full.

*Particulars of well.*

1. Name of Village with Thok Patti.
2. Name of Tehsil and District.
3. Khasra No. and Name/Names of field/fields.
4. No. or name of well.

\*Strike out whichever is inapplicable.

FORM P.

(See Rule 22/B.R.),

NOTICE OF ARRANGEMENT FOR PAYMENT OF RENT

(See Section 60 of the Rajasthan Tenancy Act and Rule No. 22/B.R. of the Rajasthan Tenancy (Board of Revenue) Rules, 1955).

I, AB S/o CD caste ... .. resident of..... .. a (here enter class of tenant)—tenant of the following lands hereby inform you, EF S/o GH caste.....resident.....the person from whom I hold that I am leaving the neighbourhood for..... months/years and that/during my absence I am leaving IJ S/o KL caste.....resident of.....in charge of my holding who will be responsible for paying the rent as it falls due.

Name of Village with name of Thok or Patti	Khasra No. and name/names if any of filed/fields	Area in bighas/acres.	Rent of holding
1	2	3	4
			Total.

My address during the period of Sd/.....  
my absence will be:— (Tenant).

(Seal of the court). If issued Signature of Tehsildar, if issued  
through Tehsildar. through Tehsil.

FORM Q.

(See Rule 23/B.R.)

PROCLAMATION OF ABANDONMENT

See Section 61 of the Rajasthan Tenancy Act and Rule No. 23/BR of the Rajasthan Tenancy (Board of Revenue) Rules, 1955.

IN THE COURT OF TEHSILDAR.....TEHSIL.....  
DISTRICT .....

Case No . . . . . of 195 .

AB (Add description and residence).....Landholder.

*Versus* ..

CD (Add description and residence).....Tenant.

To

Name description and place  
of residence (tenant).

Whereas you a (here enter class of tenant)—tenant of the holding specified below, are presumed to have abandoned it, this proclamation is issued u/s 61 of the Rajasthan Tenancy Act, 1955, (No. 3 of 1955), that the above mentioned land-holder wishes to treat the holding as abandoned and will enter on it on the expiry of sixty days from the date of service/publication of the proclamation, whichever is earlier, unless appearance is made and reasonable cause to the contrary is shown before the expiry of such period.

Name of village with Thok or Patti	Khasra Nos. and Name/Names if any, of fields.	Area in Bighas/ Acres.	Rent of holding
1	2	3	4
			Total

Sd/.....  
(Tenant),

Seal of the Court

Sd/.....  
Tehsildar.

FORM R.

(See Rule 25/B. R.

To

The Tehsildar.....

Tehsil.....

District... ..

Subject:—Application for re-instatement and restoration of holding u/s 62 (2) of the Act.

Sir,

With reference to your proclamation dated.....issued in pursuance of the provisions of sub-section (1) of section 61 of the Act, I beg to state as under:—

(1) that I was a\*Khatedar tenant

Tenant of Khudkasht

Ghair Khatedar tenant

Sub-tenant.

of the undermentioned land and the period of my occupation was ..... years.

(2) that I hold this land from \*State Government

A, B (landholder)

(3) that in the year.....there was a severe drought/famine .....(name of epidemic) in that\*Ilapa/or that I had to leave the village on account of . . . . . (Grounds to be given) and proceed to..... (Name of place) along with my family and cattle etc.

(4) that when I learnt that the calamity had passed and conditions had returned to normal, I returned to my village on or about .... (date to be mentioned).

(5) that the approximate date of my migration from the village was.....

(6) that this application is within the period of one year from the date of service/publication of the above mentioned proclamation.

(7) that in support of my contention that I left the neighbourhood on account of wide-spread calamity\*/the reasons mentioned in clause (3) above, I submit the following documentary evidence and I shall produce witnesses on the date of hearing.

(Particulars of documentary evidence to be give).

I pray, therefore, that I may be re-instated and the holding be restored to me subject to payment. by me, of arrears of rent, due from me on account of the holding till the date of restoration, including the period of abandonment in accordance with the provisions of the Act.

*Particulars of land.*

1. Name of village, with name of Thok or Patti.  
(Tehsil and District) ....
2. Khasra Nos. and name/names of field (fields ..
3. Area in Bighas/Acres.
4. Annual rent ....

Sd/ ...  
.....  
(Tenant)....

Dated.... .. 195 .

\*Strike out whichever is inapplicable.

FORM R. R.  
(See Rule 25-A)  
PART I

Application under section 66/67 of the Rajasthan Tenancy Act, 1955 for sanction to the making of an improvement mentioned in sub-clause (a) of clause (19) of section 5 of the Act.

To.

The Tehsildar,

Tehsil ... ..

Through:—The Patwari Circle No....

Sir,

As required by the first proviso to section 66 of the Rajasthan Tenancy Act, 1955, and rule 25A of the Rajasthan Tenancy (Board of Revenue) Rules, 1955, I hereby apply for sanction to the construction of the improvement particulars whereof are given below:—

1. Name of applicant with parentage and address ... ..
2. Status (Khatedar tenant/Land holder (Jagirdar/Zamindar/Bisweddar).
3. Particulars of holding:—  
(a) Name of village.  
(b) Khasra No.  
(c) Area in acres.
4. Distance of holding from the Municipal limits of the nearest city of.....or town of

5. Particulars of improvement for which sanction is required:—
  - (a) Khasra No. on which improvement is to be made.....
  - (b) Exact nature of improvement dwelling house/cattle-shed/store house/other construction.
  - (c) Full description, dimensions and area to be covered.
  - (d) Cost of the proposed construction.
6. Number and particulars of existing improvement of the nature specified in sub-clause (a) of clause (19) of section 5 of the Tenancy Act.
7. If the application is for permission to construct a dwelling house on the holding:—
  - (a) Whether the applicant owns a residential house in the Abadi of the village and if so, distance of the village Abadi from the Khasra No. on which the dwelling is proposed to be constructed.
  - (b) Whether the applicant owns a building or construction in the immediate vicinity of the holding otherwise than on the village site (of item (4) of sub-clause (b) of clause (19) of section 5 of the Act).
  - (c) Whether he will personally reside in the dwelling house proposed to be constructed.
8. If the application is for permission to construct a cattle shed on the holding:—
  - (a) No and particulars of existing cattle shed if any.
  - (b) total number of cattle owned by the applicant.
  - (c) area to be covered by the proposed cattle shed.
9. If the application is for permission to construct a store house on the holding:—
  - (a) Number and particulars of existing store houses, if any.
  - (b) total annual production of the holding for the past 3 years.
  - (c) Where and how the production is stored at present; and
  - (d) area to be covered by the proposed store house.

Signature.....

#### VERIFICATION

I solemnly verify that the particulars given above are correct to the best of my knowledge and belief; and that I have stated the truth and have not suppressed or concealed any fact.

Signature....    ...    ...

Place ...    ...    ...

Date .. ....    .....

#### PART II

Patwari's Report

This application was received by the undersigned ..... (name)  
 Patwari Circle No.                      on                      (date to be filled).

2. The particulars given in Part I above have been checked with the entries in the Khasra for Kharif/Rabi Samvat. ... and the Jamabandi (Khewat Khetoni) for Samvat ... .. and have been found to be correct, or that such and such particulars are not correct.

3. The applicant is a Khatedar tenant/estate holder Jagirdar/Zamindar/Bisweddar and cultivates the land specified in Serial No. 3 of Part I or.

Does not cultivate the land which it being cultivated....

4. He has a dwelling house/... .. dwelling houses on the holding covering an area of.... .. which is equal to.... . part of the holding or.

He has no dwelling house on the holding

5. He has a residential house in the village abadi which is at.... .. distance from the holding, or that he has no residential house in the village abadi.

6. He owns/does not own a building for the convenient or profitable use or occupation of the holding in the immediate vicinity of the holding otherwise than on the village site.

7. There are ... ..cattle sheds covering area equal to.... .. part of the holding, or there are no cattle sheds on the holding.

8. The applicant owns.....cattle according to the register of livestock.

9. (a) There are.... .. store houses on the holding covering.... .. area equal to.... ..part of the holding or there are no store houses on the holding.

(b) According to Jinswars. Milan Khasras and the other record, the approximate annual production of the applicants holding for which storage is required is.....mds.

Submitted to the Tehsildar.

Signature ... ..

Strike out whichever is in Patwar Circle No.... ..applicable.

Date.....

### FORM S(See Rule 31)

*License issued under section 84 (5) of the Act.*

Trees allowed to be

No. S.	Date.	General or special	Name or licence with full address.	Period.	removed or area allowed to be cleared.		Remark and special condi- tion
					No. or area.	Class if any or boundaries.	
1	2	3	4	5	6	7	8

The licensee above named is hereby authorised to fell and remove the trees mentioned above within the period and otherwise subject to the terms and conditions given above, and to the provisions of the Rajasthan Tenancy Act, 1955 (Act No 3 of 1955) and to the condition that the felling and removal of trees shall be done without causing damage to the lands, standing crops, grass or trees or buildings of neighbours.

2. This license must be produced for inspection when demanded by a Revenue Officer, Forest Officer or a Police Officer not below the rank of Sub Inspector of Police

3. Heavy penalties are imposed by law for the removal of trees in contravention of the license, including fines, cancellation of the license, and forfeiture of the timber.

4. This license should be surrendered to the authority issuing it, within 15 days of the expiry of the period of license.

Dated:

Licencing Authority.

Seal

### FORM T

#### *Notice of deposit of rent.*

(See section 139 of the Rajasthan Tenancy Act, 1955 (No. 3 of 1955) and Rule 47/B.R. of the Rajasthan Tenancy (Board of Revenue) Rules).

In the Court of the Tehsildar.... Tehsil ... ..

District ....

Case No.... of 195 ...

AB (add description and residence).... .. tenant  
V/s

C D (add description and residence).... ..landholder

To

Name, description and place of  
(residence).... ..landholder

Whereas AB s/o ... ..caste .. ..r/o ... ..

who claims to be your tenant in respect of the land specified below having deposited in my court the

instalments (s)

undermentioned.... ..of rent in arrears

unpaid balance of instalment (s)

on.... ..the date of his application, notice of the receipt of deposit is hereby given to you and you are directed to appear in my court on.... ..(date) to prove your title to receive the amount.

#### *Particulars of land.*

Name of village.	Name of Thok or patti	Khasra numbers of fields.	Area in Bighas/ Acres.
------------------	--------------------------	------------------------------	---------------------------

#### *Particulars of Deposits.*

Year of/instalments (s)/or applied balance of instalments (s)	Amount	Date of deposit.
--	--------	------------------

Tehsildar

Tehsil

Dated

### FORM U

Notice to a tenant for the payment of arrears of rent or for ejectment in default.

(See section 169 of the Rajasthan Tenancy Act, 1955 and Rule 60/B.R. of the Rajasthan (Board of Revenue) Rules, 1955).

IN THE COURT OF TEHSILDAR .....TEHSIL.....

DISTRICT.... ..

Case No.... of... 195

AB (Add description and residence) ..Applicant (landholder).

*Versus*

CD (Add description and residence)...Opposite party (tenant)

To

(Name, description and place of residence)... (tenant).

WHEREAS the person above-named, alleging himself to be your landholder, has applied to this court for the issue of a notice to you for payment of arrears of rent as per details given below and for your ejection in case of default.

AND WHEREAS the amount of Rs... is claimed to be due from you to the said landholder on account of arrears of rent in respect of the holding specified below, notice is hereby given to you to pay, within thirty days of the date of service of this notice, the amount of arrears or to appear and admit or contest the same. In default the application will be heard and determined in your absence.

## Details of account.

Year and instalment.	Khasra No.	Rent payable.	Rent paid.	Arrears	Interest.	Remarks.
1	2	3	4	5	6	7

Total

Grand Total

District	Tehsil	Village	Thok or patti.	Khasra Nos. of fields	Area of field (Bighas)/Acres
----------	--------	---------	----------------	-----------------------	------------------------------

## Number of fields and total area.

The instalments of rent payable by you for the holding in future are specified below:—

*Rent payable for the holding in future.*

Rabi instalment.

Kharif instalment.

Given under my hand and the seal of the Court this..... day of... 195

Signature... ..

(Tehsildar)

Dated... 195

(Seal of the Court)

## FORM U (1)

Notice to a tenant for the payment of arrears of rent or for ejection in default.

(See section 169 of the Rajasthan Tenancy Act, 1955 and Rule 60/B.R. of the Rajasthan Tenancy (Board of Revenue),

Rules, 1955

IN THE COURT OF TEHSILDAR.....TEHSIL.....  
DISTRICT.....

Case No... of... 195



State

V/s.

CD (Add description and residence)....(Opposite party tenant).

To

(Name, description and place of residence)... (tenant).

WHEREAS the amount of Rs..... is due from you to the State on account of arrears rent of in respect of the holding specified below, notice is hereby given to you to pay, within thirty days of the date of service of this notice, the amount of arrears or to appear and admit or contest the same. In default the application will be heard and determined in your absence.

## Details of account.

Year and Instalment.	Khasra number	Rent payable.	Rent paid.	Arrears.	Interest.	Remarks
1	2	3	4	5	6	7

Total  
Grand Total

*Description of the holding.*

District	Tehsil	Village	Thok or Khasra No. patti.	Area of field of field.	Bighas/Acres
1	2	3	4	5	6

Number of fields and total area.

The instalments of rent payable by you for the holding in the future are specified below:—

*Rent payable for the holding*

Rabi instalment.

Kharif instalment.

Given under my hand the seal of the Court this... day of... 195 .

Signature...

(Tehsildar)

Dated...

....195 .

(Seal of the Court)

## FORM V.

Notice to tenant for payment of the amount outstanding under a decree for arrears of rent or for ejectment in default.

(See section 174 of the Rajasthan Tenancy Act, 1955 and Rule 60/B.R. of the Rajasthan Tenancy (Board of Revenue Rules. 1955).

IN THE COURT OF.....AT.....

Case No..... of.....195 .

AB (add description and residence).....Decree-holder (land-holder).

*Versus*

CD (add description and residence).....Judgement-debtor [Tenant].

To

[Name description and place of residence].....

WHEREAS the person above named, alleging himself to be your land-holder, has applied to this court for the execution of a

decree for arrears of rent by the issue of a notice to you for the payment of the amount outstanding or for your ejectment in case of default.

AND WHEREAS the amount of Rs . . . . . is claimed to be due from you to the said land-holder on account of arrears of rent in respect of the holding specified below, and on account of costs as detailed below, notice is hereby given to you to pay, within two months from the date of service of this notice, the aforesaid amount into the court or in case of default to show cause why you should not be ejected from your holding and to state whether in case an order for your ejectment is passed you claim compensation for any improvements made by you. In case of default an order may be passed for your ejectment from the holding specified below:—

*Details of account.*

Year and Instal- ment.	Rent pay- able.	Rent paid.	Arrears.	Interest.	Costs awarded by the decree.	Remarks.
1	2	3	4	5	6	7

Total.....

Grand Total .....

*Description of holding.*

District.	Tehsil.	Village	Thok or patti,	Khasra Nos. of fields.	Area of fields Bighas/ Acres.
1	2	3	4	5	6

Number of fields and total area.

Given under my hand the seal of the court this.....  
day of .....195 .

Signature.....

Designation.....

Dated .... 195 .

(Seal of the Court).

FORM W.

*Notice to a tenant under section 175 to show cause against ejectment for illegal transfer or sub-letting.*

*See section 175 of the Rajasthan Tenancy Act, 1955 and Rule 60 / BR of the Rajasthan Tenancy (Board of Revenue) Rules, 1955).*

IN THE COURT OF.....AT.....

Case No .. 195 .

AB (add description and residence).....Applicant (Land holder)

*Versus*

CD (add description and residence).....[tenant].

and

EF [add name, description and place.....transferee or sub-lessee

or residence].

opposite party;

To

(Name, description and place of residence .....[tenant]

WHEREAS the person above named, alleging himself to be your land-holder has applied to this court u/s 175 of the Rajasthan Tenancy Act, 1955, on the grounds mentioned below, for your ejection from the holding specified below, this notice of ejection is issued to you under the said section of the Act. You are hereby asked to show cause why you should not be ejected from the area so transferred/sub-let. You are informed that—

[a] If you desire to dispute ejection, you must contest this notice within thirty days of its being served on you, and

[b] if within thirty days of the service of this notice you appear and admit your liability to ejection, you will not be liable for any costs.

Take notice that, in default of your appearance within the period specified above, an order of ejection may be passed against you.

*Grounds of ejection.*

1. ....

2. ....

*Description of holding.*

District	Tehsil	Village	Thok or patti.	Khasra Nos. of field.	Area of fields. Bighas/ Acres.	Rent of holding.
1	2	3	4	5	6	7

Total No. of fields and total area

Given under my hand and the seal of the Court this.....

.....day of.....195

Signature.....

Designation....

Dated.....195

[Seal of the Court].

## FORM X

# NOTICE TO A TENANT UNDER SECTION 177 TO SHOW CAUSE AGAINST EJECTION FOR DETRIMENTAL ACT OR BREACH OF CONDITION.

(See section 177 of the Rajasthan Tenancy Act, 1955 and Rule 60/B1 of the Rajasthan Tenancy (Board of Revenue) Rules, 1955).

IN THE COURT OF... AT ...

Case No ... of ... 195

AB (add description and residence)..... Applicant (land-holder).

*Versus.*

GD (add description and residence).....(tenant).

and

EF (add name, description and place.....(person claiming through  
of residence). tenant) Opposite party.

To

(Name, description and place of residence (tenant and person claiming through tenant).

WHEREAS the person above named, alleging himself to be your land-holder has applied to this court under section 177 of the Rajasthan Tenancy Act, 1955, on the grounds mentioned below, for your ejectment from the holding specified below, this notice of ejectment is issued to you under the said section of the Act. You are hereby asked to show cause why you should not be ejected from the area concerned. You are informed that—

(a) if you desire to dispute ejectment, you must contest this notice within thirty days of its being served on you, and

(b) if within thirty days of the service of this notice you appear and admit your liability to ejectment, you will not be liable for any costs.

Take notice that, in default of your appearance within the period specified above, an order of ejectment may be passed against you.

*Grounds of ejectment.*

1. ... ..

2. ... ..

*Description of holding.*

District.	Tehsil	Village	Thok or patti.	Khasra Nos. of fields.	Area of fields Bighas/ Acres.	Rent of holding
1	2	3	3	4	5	6

Total number of fields and total area.

Given under my hand and the seal of the Court this .....

... .. day of ... .. 195 ..

Signature ... ..

Designation... ..

Dated... .. 195 ..

(Seal of the Court).

FORM Y.

**NOTICE OF EJECTMENT TO A TENANT OF KAUDKASHT,  
GHAIR KHATEDAR TENANT OR SUB-TENANT UNDER  
SECTION 181 OF THE ACT.**

(See Rule 67/BR of the Rajasthan Tenancy Act (Board of Revenue)  
Rules, 1955.

IN THE COURT OF ASSISTANT COLLECTOR DISTRICT

Case NO.... .. of.... .. 195 ..

AB (add description and residence) ..... Applicant (land-holder).

To

[Name and place of residence].....[Tenant].

WHEREAS the land-holder above named has applied under section 180 of the Rajasthan Tenancy Act, 1955, on the grounds mentioned below for your ejectment from the holding specified below, this notice of ejectment is issued to you in accordance with the provisions of sub-section [3] of section 181 of the Act. You are hereby informed that:—

[a] if you wish to dispute the ejectment you must contest the notice within thirty days of its being served on you, and

[b] that if within thirty days of the service of notice you appear and admit your liability to ejectment, you will not be liable for any costs.

Take notice that in default of your appearance within the period specified above an order of ejectment may be passed against you.

*Grounds of ejectment.*

1. .... [See clauses [a] to  
2. .... [d] of section 180]

*Description of holding.*

District.	Tehsil.	Village.	Thok or Khasra patti.	Area of Nos of fields.	Rent of fields.
				Bighas/holding.	
				Acres.	

Total number of field and total area.

Given under my hand and the seal of the Court this... ..

... ..day of... ..195 .

Signature... ..

Designation... ..

Dated... ..195 .

[Seal of the Court].

FORM Z.

(See Rule 78/BR).

NOTICE UNDER SECTION 186 OF THE ACT,  
IN THE COURT OF ASSISTANT COLLECT... ..  
DISTRICT... ..

Case No... ..of... ..195.

AB (add description and residence)... ..Applicant (tenant).

*Versus*

CD (add description and residence)... ..Opposite party (land-holder).  
and

EF (add description and residence)... ..Opposite party (other  
person now in  
possession).

To

(Name, description and place of residence....(Opposite party).

WHEREAS the person named above allegin ghimself to be the tenant of CD has applied to this court for re-instatement under section 186 on the ground that he has been ejected from, or dispossessed of, his holding, or part thereof, specified below:—

(a) before the commencement of the Act otherwise than by process of law, or

(b) after the commencement of the Act in contravention of its provisions,

this notice is hereby issued to you in accordance with the provisions of sub-section (2) of the said section to show cause within a fortnight of the receipt of this notice why the applicant be not re-instated in his holding or part thereof and why you and \*EF (Name of other person in possession) who is now alleged to be in possession be ejected therefrom. A copy of the application is attached and you are hereby informed that if you wish to contest the application you must appear and contest this notice within 15 days of its being served upon you.

Take notice that in default of your appearance within the period specified above, an order for the reinstatement of the applicant and your ejectment and/or the ejectment of the other person now in possession, shall be passed.

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\*Strike out whichever is inapplicable.

# RAJ. TENANCY (BOARD OF REVENUE) RULES, 1955

*Notification No. BR/F. 45 (Misc.)/RA/64/30465*—In exercise of the powers conferred by section 258 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), (the Board of Revenue for Rajasthan, with the previous sanction of the State Government hereby, makes the following further amendments in the Rajasthan Tenancy (Board of Revenue) Rules, 1955 (as originally published under the Board's Notification number 7909/BR, dated the 1st November, 1955, in Part IV-C of the Rajasthan Gazette, dated the 17th December, 1955), the same having been previously published as required by section 259 of the said Act, namely :—

## AMENDMENTS

In the said rules—

1. in rule 25A, for the words "situated within the radius mentioned in the first proviso to section 66" the words "situated within the area specified in the notification issued by the State Government under the second proviso to sub-section (1) of section 66" shall be substituted;

2. for the existing rule 25C, the following rule shall be substituted, namely :—

**"25C—Consultation with Urban Improvement Trust or Municipal Board.**—(1) On receipt of the application in form RR and the patwari's report, the Tehsildar shall forward the application and the report to the Urban Improvement Trust or the Municipal Board, if any, within whose jurisdiction the land covered by the holding is situated and enquire whether, in the context of the master plan, if any, or otherwise, the said Trust or Board, as the case may be, sees any objection to the permission applied for being granted. The Urban Improvement Trust or the Municipality, as the case may be, shall communicate its views to the Tehsildar within thirty days of the date of receipt of the Tehsildar's reference.

3. in rule 25D, for the words, "and the Municipal Board's reply, if any, "the words" and the reply if any, received from the Urban Improvement Trust, or the Municipal Board, as the case may be", shall be substituted.

4. in rule 25E,—  
(a) the existing rule shall be re-numbered as sub-rule (1) thereof,

(b) the following shall be inserted as clause (viii-A), namely  
 “(viii-A) whether the proposed construction would be within one hundred yards of the railway boundary, or of the national high-way or any road maintained by the State Government or a Municipality.”

(c) Clause (ix) of sub-rule (1) as so renumbered shall be omitted.

(d) after sub-rule (1) as so renumbered the following shall be inserted as sub-rule (2), namely :—

“(2) Where the area of the holding exceeds fifty acres, the maximum area to be covered by dwelling houses, cattle sheds, store houses and other constructions shall not exceed one acre in all, and where the area of the holding does not exceed fifty acres, the maximum area to be covered by any such improvements shall, subject to a minimum of one hundred and fifty square yards, not exceed one fiftieth of the total area of the holding :

Provided that there shall not be more than one dwelling house for the use of the tenant or the land-holder on his holding.”

5. for the existing clauses (i), (ii) and (iii) of rule 25F, the following shall be substituted, namely,—

“(i) is not an improvement as defined in the Act, or

(ii) is not an improvement which the applicant is entitled to make, or

(iii) is too costly for the purpose for which it is intended, or

(iv) is objected to by the Urban Improvement Trust or the Municipal Board, as the case may be, or

(v) would be within one hundred yards of the railway boundary or of the national highway or any road maintained by the State Government or a Municipality.”

(Published in Rajasthan Gazette-Extraordinary-Part IV  
 (Ga)-dated 27-7-1964)

Board of Revenue for Rajasthan, Ajmer.

Ajmer, July 6, 1965

**Notification No. F-2 (135)-Rev. B/1/64.**—In exercise of the powers conferred by section 258 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), read with section 84 of the said Act, and with the previous sanction of the State Government, the Board of Revenue for Rajasthan hereby makes the following amendments to the Rajasthan Tenancy (Board of Revenue) Rules, 1955, as originally published under the Board's Notification No. 7907/BR, dated the 1st November, 1955, in Part IV-C



of the Rajasthan Gazette, dated the 17th December, 1955 the same having been previously published as required by section 259 of the said Act, namely:—

In the said rules:

1. For the existing rule 31, the following shall be substituted, namely:—

“31. *Form of application.*—(1) An application for a license under sub-section (5) of section 84 of the Act shall be in Form ‘S’.

(2) It shall be submitted through the Patwari of the circle in which the lands on which the trees sought to be removed are situated.”

2. The following shall be substituted for rule 32, namely:—

“32. *Patwari's report.*—The Patwari shall, within one week of the submission of the application and after seeing the site, submit his report to the Sub-Divisional Officer, in Part II of Form ‘S’, on the correctness or otherwise of the particulars mentioned in Serial Nos. (3) and (4) of paragraph 2 of the application”

3. The following shall be substituted for rule 33, namely:—

“33. *Enquiry and disposal by the Sub-Divisional Officer.*—

(1) The Sub-Divisional Officer shall, if the application is for the removal of trees for agricultural or domestic use and the number of trees sought to be removed is not excessive and is commensurate with the purpose for which removal is sought, grant the permission within fifteen days of the receipt of Patwari's report.

(2) If the removal is applied for under ground (c) of Serial No. (5) of the particulars, the Sub-Divisional Officer shall either inspect the site himself, or get it inspected by the Tehsildar, or a Naib Tehsildar, before passing orders.

(3) In the case of an application under ground (d), or ground (e), or ground (f), the Divisional Forest Officer shall be invariably consulted and a license granted only in accordance with the advice given by him. If the Sub-Divisional Officer does not agree with the advice given by the Divisional Forest Officer, the sub-Divisional officer shall record his reasons therefor and forward the case for further advice to the Chief Conservator of Forests, Rajasthan, and the Sub-Divisional Officer shall be bound by the advice of the Chief Conservator of Forest and shall issue a license only in accordance with such advice.”

4. After rule 33 as so substituted the following new rule shall be added, namely:—

"33-A License fee and period of license.—(1) No license fee shall be charged for a license given on grounds (a) and (b). In the case of a license on grounds (c), (d), (e) or (f) a fee of ten paise per tree or rupees ten per acre, whichever is more, shall be charged.

(2) The period of license shall be determined by the licensing authority with due regard to the number of trees to be removed, the area to be cleared and the labour involved, and no renewal of the license shall be permitted.

(3) Nothing in this rule shall prevent the issue of a fresh license where a license has expired before the removal of the trees covered by the license, provided that the issue of a fresh license shall in all respects be governed by these rules."

5. Rule 35 shall be omitted.

6. The following shall be substituted for rule 40, namely:—

"40. *Surrender of license.*—A license shall be surrendered to the Licensing Authority within fifteen days of the expiry of the period thereof".

7. The following shall be inserted as rule 40 A, namely:—

"40A. *Form and register of licenses.*—A license shall be in Form 'SS' and a register of licenses in the same Form shall be maintained and kept up-to-date at each Sub-Divisional Office".

FORM 'S'

(See rule No:31)

Application for license under sub-section (5) of section 84 of the Rajasthan Tenancy Act, 1955.

To, The Sub-Divisional Officer,

..... (Sub-Division),

..... (District).

Sir,

I am a Khatedar tenant holding land in excess of the ceiling area applicable to me, and I desire to remove trees which vest in me or are my property or are in my possession, and I, therefore, hereby apply for a license under sub-section (5) of section 84 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955).

2. The required particulars are given below:—

(1) Name, parentage and age of applicant.

(2) Full address of the applicant.

(3) Particulars of applicant's holding, viz.

(a) Name of village, with name of Tehsil in which holding is situated.

(b) Khasra numbers with area in acres/bighas.

(c) Soil-class.

(4) Particulars and class of trees, with age, if known, and approximate weight, sought to be removed and name of village (Name of tehsil) and khasra numbers in which such trees are growing together with soil-class of the said khasra number.

(5) *Ground on which license is applied for, viz.*—(a) Agricultural use : making of plough; implements for drawing water from well for irrigation, making bullock-cart for transporting the produce, etc.; burning lime or surki for construction of well or tank, etc.

(b) Domestic use: fuel-wood in own household.

(c) Clearing of land for extension of cultivation.

(d) Plantation of new trees, the trees sought to be removed having grown old and useless.

(e) Removal of fruit trees which have become over-nature and in which rot and deterioration have set in.

(f) The trees sought to be removed are affecting the fertility of the soil or otherwise cause damage to the soil or standing crops.

(6) Date of last license granted and number of trees removed thereunder

3. If the license applied for is granted, I undertake to use the wood for the purpose indicated by me and for no other purpose; and I will abide by the terms and conditions of the license.

Your's faithfully:

Signature.

Place and Date.

## PART II

### Patwari's report.

(1) Date of receipt of application—

(2) Date of report—

The statement made in the opening sentence of the application and the particulars given at serial Nos. 3 and 4 are correct/incorrect.\*

Correct particulars are as follows:

The condition of the trees is.....

(Full description to be given)

Submitted to the Sub-Divisional Officer:

Circle No.

Signature of the Patwari.

\*Strike out whichever is inapplicable.

**FORM 'SS'**  
(See Rule 40 A)

License for removal of trees under section 84(5) of the Rajasthan Tenancy Act, 1955.

Particular's of license

S. No.	Date of issue	Name of Licensee, with full address	Period of validity of license	No. and class of trees with age and weight, if known allowed to be removed.	Area in acres/ bighas prepared to be cleared
1	2	3	4	5	6
Purpose for which removal of trees or clearance of ground allowed			Special conditions, if any, imposed		Remarks
7			8		9

1. The licensee above named is hereby authorised to fell and remove the trees mentioned above within the period and otherwise subject to the terms and conditions given above, and to the provisions of the Rajasthan Tenancy Act, 1955 (Act No. 3 of 1955), and rule 31 to 40A of the Rajasthan Tenancy (Board of Revenue) Rules, 1955; and to the condition that the felling and removal of trees shall be done without causing damage to the lands, standing crops, grass or trees or buildings of neighbours.

2. This license must be produced for inspection when demanded by a Revenue Officer, Forest Officer or a Police Officer not below the rank of sub-Inspector of Police.

3. Heavy penalties are imposed by law for the removal of tress in contravention of the license, including fines, cancellation of the license, and forfeiture of the timber.

4. This license should be surrendered to the authority issuing it, within fifteen days of the expiry of the period of license.

Date seal Licensing Authority.

# RAJ. TENANCY (FIXATION OF CEILING ON LAND) (GOVERNMENT) RULES, 1963.

*Notification No. F. 6 (120) Rev. B/60 (ii)*—In exercise of the powers conferred by section 257 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), the State Government hereby makes the following rules, the same having been previously published in the Rajasthan Gazette Extraordinary Part III (B) dated 5th June, 1963 as required by section 209 of the said Act, namely :—

## CHAPTER I

### Preliminary

1. *Short title and commencement*.—(1) These rules may be called the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963.

(2) They shall come into force on the date to be appointed for the commencement of the Rajasthan Tenancy (Amendment) Act, 1960 (Rajasthan Act No. 4 of 1960), hereafter in these rules referred to as 'the appointed date'.

2. *Interpretation*.—In these rules, unless the context otherwise requires,—

(1) 'Act' means the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955).

(2) 'Form' means a form appended to these rules.

(3) 'holding' shall have the meaning assigned to that term by the proviso to clause (17) of section 3 of the Act.

(4) 'Section' means a section of the Act.

(5) Words and expressions defined in the Act or in the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956), shall wherever used in these rules, be construed to have the meanings assigned to them by the said Acts.

## CHAPTER II

### Registration of Landless Persons

3. *Preparation of list of landless persons*.—Within thirty days of the appointed date, every Tehsildar shall issue a notice in Form Ceiling I inviting applications in Form Ceiling II from landless persons, as defined in clause (26-a) of section 5 of the Act, for entry of their names in the register of landless persons to be prepared for the purposes of Chapter III-B of the Act.

4. *Mode of publication of notice.*—The notice shall be published by beat of drum in the village or villages concerned, and one copy of the notice shall also be posted on the notice-board of the Tehsil, one copy on the notice-board of the Panchayat Samiti and another copy sent to the Village Panchayat concerned for pasting on the Panchayat's notice-board.

5. *Enquiry and disposal of applications and objections.*—All covers containing the applications received in response to the notice shall be opened by the Tehsildar on the date and time and at the place mentioned in para 2 of the notice (Form Ceiling I), when he shall take into consideration not only the applications received, but also objections, if any, raised against the claim of any such persons; and, after holding such summary enquiry as he may consider necessary, the Tehsildar shall pass orders for the entry of the names of the persons found to be landless persons in a register in Form Ceiling III.

6. *Place of enquiry.*—The place at which the covers containing the applications under rule 5 shall be opened and enquiry held shall, as far as possible, be either the village of whose landless persons a list is to be prepared, or the headquarters of the village Panchayat.

7. *Entries in register of landless persons, how to be made.*—The entries in the register of landless persons shall be made village-wise and the names of the villages shall be written in alphabetical order.

8. *Column 11 of register, when to be filled.*—Column No. 11 of the register shall be filled in when land is allotted to any person, whose name is entered in the register, out of the lands surrendered to Government on the fixation of ceiling on land.

### CHAPTER III

#### Fixation of Ceiling on Land.

9. *Declarations to be filled by land holders and tenants.*—In order to enable the Sub-Divisional Officer to—

(a) determine, under section 30-C of the Act, the ceiling area applicable to every person holding land in his sub-division; and

(b) eventually, enforce the provisions of section 30 E; every land-holder and tenant, who was, on the 25th of February, 1958, or the 9th of December, 1959, or who is, on the appointed date, in possession of land in excess of the ceiling area applicable to him, shall, within ninety days of the appointed date, furnish to the Sub-Divisional Officer of the sub-division in which his holding, or any part thereof, is situated, a declaration of his holding and particulars of his family in Form Ceiling IV :

Provided that if his holding is situated in more than one sub-division, he shall submit a declaration in the said form to the Sub-Divisional Officer of the sub-division in which the major portion of the holding is situated, with additional copies for the Sub-Divisional Officer of every other sub-division in which any portion of the holding is situated :

Provided further that if the holding is situated in more than one Tehsil, as many additional copies of the declaration as there are Tehsils in which the holding is situated shall be submitted.

10. *Issue of notice by Sub-Divisional Officer calling for Declarations.*—Without prejudice to the provisions of rule 9, the Sub-Divisional Officer shall have power to issue a notice in Form 'Ceiling V' requiring any land-holder or tenant who, he has reason to believe, resides or holds land within his jurisdiction in excess of the ceiling area applicable to him, to furnish to him a declaration of his holding and particulars of his family within such period as may be specified in the notice (not being less than thirty days from the date of its issue) and it shall be the duty of such land-holder or tenant to furnish the declaration and particulars, whether or not he resides or holds land within the jurisdiction of such Sub-Divisional Officer.

*Explanation.*—In the case of a land-holder or tenant who is a minor, a lunatic or is subject to any other such disability, or is an idol or a religious or a charitable institution, the declaration and particulars under rule 9 or rule 10 shall be furnished by the guardian, trustee or manager, as the case may be, of such land-holder or tenant.

11. *Land-holder or tenant entitled to receipt for declaration filed.*—A land-holder or tenant who furnishes a declaration under rule 9 or rule 10 shall be entitled to obtain a receipt in respect of the declaration so furnished.

12. *Checking of the declarations received*—Within one week of the expiry of the period mentioned in rule 9, or of that mentioned in rule 10, the Sub-Divisional Officer shall fill in the endorsement printed in part D of Form Ceiling IV and forward to the Tehsildars concerned the declarations received with respect to lands situated in their respective Tehsils, with instructions to check the particulars, given in the declarations with reference to the entries in the—

(i) Jamabandi (Khewat-Khatauni, Form No. P 26 of the forms appended to the Rajasthan Land Revenue (Land Records) Rules, 1957);

(ii) the Khasra Girdawari (Form P 13);

(iii) the Register of Mutations (Form P. 21);

(iv) the monthly statements of registered deeds received from the Registrars and Sub-Registrars under paragraph 141 of the Land Records Rules;

(v) the Patwari's Dairy of Events (Form P. 4); and

(vi) any other relevant record;

and after such summary enquiry regarding the number of the members of the declarant's family as may be considered necessary, submit a report, within three weeks of the accuracy or in-accuracy of such entries, in the form printed as part E of Ceiling Form IV :

Provided that in the case of lands situated in other sub-divisions the report shall be called for through the Sub-Divisional Officers of those sub-divisions.

13. *Lists and statements to be prepared by Tehsildars.*—The Tehsildars shall also be simultaneously directed by an order in Ceiling Form VI to draw up lists of land-holders and tenants in their respective Telisils from whom declarations have not been received, and to prepare statements of holdings of all such persons as should have, but have not, submitted declarations. These statements shall also be in Form Ceiling IV and the particulars to be shown shall be those existing on the 24th of February, 1958

14. *Action by Sub-Divisional Officer.*—On receipt of the reports mentioned in rule 12 and of the statements referred to in rule 13, the Sub-Divisional Officer shall issue notice to the land-holders and tenants, in Form Ceiling VII informing them of the receipt of the Tehsildar's report and directing them to appear before the Sub-Divisional Officer, on a date to be specified if they wish to be heard before he (Sub-Divisional Officer) determines the ceiling area applicable to each such person. If a land-holder or tenant appears, he shall be given a hearing, otherwise the Sub-Divisional Officer shall, on the basis of the Tehsildar's report and such further enquiry, if any, as he may deem fit to make, proceed to determine the ceiling area, in accordance with rules 15 to 21.

15. *Presumption regarding number of members of family of persons who fail to file a declaration.*—The total numbers of members of the families of the persons who were bound to, but have failed to, submit a declaration in Form Ceiling IV, shall be taken to be as not exceeding five in each case.

16. *Ceiling for families consisting of more than five.*—The areas specified in columns Nos. 3 to 7 of Part A of Annexure I to these rules being areas estimated to yield three hundred



Maunds of wheat yearly, or some other produce of equivalent value, for giving effect to the proviso to section 30 C, those areas shall be increased by one-sixth for each additional member of a family consisting of more than five members, subject to the condition that in no case shall the extent of land to be left in the possession of such family exceed double the extent mentioned in the said columns of the said Part of the said Annexure.

17. *Lands held by undivided family, society etc.*—(1) For the purpose of determining the ceiling area, all the lands held individually, by any member of a family, or jointly by some or all of the members of a family, shall be deemed to be held by the family.

(2) In calculating the extent of land held by a family or by an individual person, the share of the member of the family or of the individual person in the land held by an Hindu undivided family, shall be taken into account.

(3) In calculating the extent of land held by a family or by an individual person, the share of the family or of the individual person in the land held by a firm, society or association of individuals (whether incorporated or not) or by a company shall be taken into account.

(4) The share of a member of a family or of an individual person in the land held by an Hindu undivided family or the share of a family or of an individual in the land held by a firm, society or association of individuals (whether incorporated or not) or by a company shall be deemed to be the extent of land which in case such share is held on the appointed date would have been allotted to such a member, person or family had such land been partitioned or divided, as the case may be, on such date; or which, share is acquired in any manner whatsoever after the appointed date, would be allotted to such member, person or family if a partition or division were to take place on the date of determination of the ceiling area.

18. *Basis of calculation of the extent of land held by founder of a trust.*—Where, under the terms of a trust, any interest, either in the land in respect of which a trust is created, or in the income from such land, is reserved in favour of the founder of such trust, or of any other person, the Sub-Divisional Officer shall declare the extent of land which bears to the total extent of land in respect of which the trust is created, the same proportion as such interest bears to the total interest in such land or the income therefrom. The extent of the land so declared shall, with effect from the date of such declaration be deemed to be held by the founder or such other person and shall be taken into account in calculating the extent of the land held by him.

19. *Formation of Ceiling Groups.*—For the purpose of determining ceiling areas, the assessment circles or assessment groups formed, or deemed to have been formed, under section 149 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No 15 of 1956) shall be grouped into ceiling groups as shown in Annexure I to these rules, and the ceiling area in respect of the various soil classes mentioned in column 2 of Part A of the said Annexure shall be that shown in columns 3 to 7 of the same part against the ceiling group in which the villages mentioned in column 2 of part B of the said Annexure have been placed.

*Explanation.*—The Ceiling areas mentioned in columns 3 to 7 of part A of annexure I have been arrived at in accordance with the principles enumerated in Appendix A.

20. *Areas representing fragment.*—The areas representing a fragment for the purpose of sub-section (2) of section 301 shall be those shown in Annexure II to these rules.

21. *Contents of Sub-Divisional Officer's Order.*—The Sub-Divisional Officer's order determining ceiling areas shall contain the undermentioned particulars and his decision on the points enumerated below, namely—

(1) Name, parentage, status and address of the person whose ceiling area is determined.

(2) Number of members of his family.

(3) Names of the district, or districts of the ceiling group or groups, and of the village or villages in which the holding is situated.

(4) Extent of the different soil-classes of land as mentioned in assessment parcha, or failing entries therein, in the current annual register, included in the holding.

(5) Whether any transfers were made, and if so, on what date, and what was the total area and soil classes and other particulars of the land transferred, and whether—

(a) any such transfer came within the permissible categories

(b) if the transfer was made to a landless person, was such person a landless person before the 25th February 1958 and continued to be so till the date of transfer ;

(c) whether any such transfer was made on or after the 9th December, 1959 and cannot be recognised under the further proviso to sub-section (1) of section 30 D;

(d) whether by such transfer land in excess of the ceiling area applicable to the transferee was transferred to him and for this reason the transfer cannot be recognised.

(6) If there was a transfer and the transferee has claimed a refund of the consideration money, the sub-Divisional Officer's decision thereon.

(7) Area, in ordinary acres, that represents the ceiling applicable to the person, having regard to the number of members of his family, extent of each soil-class of land held, the ceiling group in which the village is situated and the ceiling area applicable thereto.

(8) Whether the excess area to be surrendered by the person is a fragment ; and if so, whether it can be utilised for consolidation of a continuous holding smaller in size than the ceiling area applicable to such holding ; full particulars of such holding shall be given.

(9) If it is a case of acquisition within the meaning of clause (b) of sub-section (1) of section 30 E, what excess land he has to surrender and place at the disposal of the Tehsildar ; the area, Khasra number, soil-class and other particulars shall be given.

(10) Whether the person has exercised the option given to him by the proviso to sub-section (2) of section 30 E, and whether such option is free from objection ; whether some lands are encumbered and some unencumbered ; whether by the option the person is surrendering unencumbered land as required by the further proviso to sub-section (2) of section 30 E.

(11) Whether the person failed to make a report, or to surrender the surplus land, and is liable to the penalty mentioned in sub-section (3) of section 30 E.

(12) Whether he is liable to ejectment under sub-section (4) of section 30 E ; the particulars of the land from which he is to be ejected shall be given and the Sub-Divisional Officer shall see whether these are unencumbered lands.

(13) The Sub-Divisional Officer should carefully specify the area, in ordinary acres, khasra numbers, soil-classes etc. of the surplus land that will vest in the State under sub-section (5) of section 30 E.

(14) The Sub-Divisional Officer should simultaneously direct the Tehsildar to take over the surplus land and take immediate steps for getting the lands that have vested in the State cultivated, pending steps, which should be taken with the least possible delay, for their allotment to the land-less persons under section 30 F.

22. *Claim by transferee for refund of consideration money:—*  
Any transferee of the land referred to in sub-section (1) of section 30 D, who claims a refund in accordance with the provisions

of sub-section (3) of the section, of the consideration money paid by him for such land, may apply to the Sub-Divisional Officer of the sub-division in which the land is situated in Form Ceiling VIII (in duplicate) for such amount being refunded to him out of the compensation money payable to the transferor by the State Government in respect of such land under section 30-G.

**23. Notice to transferor and disposal of objections.**—On receipt of an application in Form Ceiling VIII, the Sub-Divisional Officer shall give notice, in Form Ceiling IX, to the transferor, and after hearing and disposing of any objections raised, pass appropriate orders on the application of the transferee.

**24. Report under sub sections (2) of section 30 E.**—(1) The report required to be made by sub-section (2) of section 30 E shall be made to the Tehsildar within the local limits of whose jurisdiction the land is situated; if the land is situated in more than one Tehsil, to the Tehsildar of the Tehsil in which the major portion of the holding is situated, with additional copies for the Tehsildars of the other Tehsils in which any portion of the holding is situated :

Provided that a person who has submitted a declaration under rule 9 and who has not, after the date of submission of such declaration, come into possession of any land by acquisition under clause (b) of sub-section (1) of section 30 E, need not make a fresh report.

(2) The report under sub-section (1) shall be in Form Ceiling X.

**25. Receipt of report furnished.**—A landlord or tenant, who furnishes a report under rule 24 shall be entitled to obtain a receipt therefor.

**26. Enquiry and action by Tehsildar.** On receipt of a report under rule 24, the Tehsildar shall—

- (a) ascertain by a reference to the relevant record whether the particulars given are correct, specially about the ceiling area applicable to the person making the report, on the date notified under sub-section (1) of section 30 E ;
- (b) compare the particulars entered in the report with those given in the declaration filed under rule 9;
- (c) verify, if necessary, from the Tehsildars of the other Tehsils the particulars of the land in the other Tehsils given in the report;
- (d) consider whether there is any objection to the option exercised by the applicant and whether this would be against the interest of the State,

- (e) see whether there is any entry about the encumbrances, if any, in the land records, and satisfy himself that the lands surrendered to the State Government are actually free from encumbrances; and
- (f) take possession of the surrendered land forthwith, and if the land cannot be immediately allotted to landless persons or co-operative societies of landless persons in accordance with rule 41 or rule 42, immediately make temporary arrangements for the cultivation of the land, through temporary leases for not more than one year pending permanent allotment.

## CHAPTER IV

### Exemption from Ceiling

27. *Application for exemption from ceiling*—An application for exemption on any of the grounds mentioned in sub-section (1) of section 30 J shall be submitted in Form Ceiling XI to the Sub-Divisional Officer concerned within ninety days of the appointed date. In addition to Part A of that Form, the particulars appertaining to the specific ground on which exemption is claimed shall be given, and any documents on which reliance is placed for proving the ground on which exemption is claimed shall be attached to the application.

28. *Enquiry by Sub-Divisional Officer*—On receipt of an application in Form Ceiling XI, the Sub-Divisional Officer shall—

- (a) verify the particulars given therein by a reference to the record of the Tehsil, in particular the dates of submission of declaration under rule 9 and of return under rule 10, date of registration of grove, and particulars of cultivation;
- (b) in the case of an application for exemption under clause (a) or clause (e) of sub-section (1) of section 30J see whether the area of the grove or farm is really contiguous and compact, or the distance between one grove and another, or one part of the farm and another as stated in the application, is correct, and whether the grove was acquired after the 1st of May, 1959 and was duly registered under rule 2 A of the Rajasthan Tenancy (Board of Revenue) Rules, 1955;
- (c) in the case of an application for exemption under clause (b) of the said sub-section of the said section, check the particulars given with the relevant record of the Tehsil and ascertain that the sugar-cane farm has been actually used for the growing of sugar-cane

for the sugar factory, or whether the sugar-cane has not been grown continuously for five years immediately preceding the appointed date; and enquire about the production of sugar from the Director of Industries and Commerce;

- (d) in the case of an application for exemption under clause (c) of the said sub-section of the said section make enquiries about the farm from the Registrar of Co-operative Societies and ascertain whether it is functioning properly, and also verify the figures of the production given in the application; and
- (e) in the case of an application for exemption under clause (c) or clause (e) of the said sub-section of the said section, check the particulars given in the annexure to the application and make such further enquiries as may be necessary.

29. *Manner of registration of specialised farms*.—To claim exemption under clause (d) of sub-section (1) of section 30 J, a specified farm engaged in cattle-breeding, horse-breeding or sheep breeding must have been established as such before the 1st May, 1959 and registered as such farm by the Director of Animal Husbandry, Rajasthan, under the relevant rules and must hold a valid registration certificate.

30. *Special Board to decide the application*.—After the preliminary enquiries mentioned in rule 28 are complete, the Sub-Divisional Officer shall place the application before a Special Board consisting of—

- (i) himself as Chairman;
- (ii) the District Agriculture Officer; and
- (iii) if the exemption is claimed under clause (d) of sub-section (1) of section 30 J, the District Animal Husbandry Officer.

31. *Criteria of management*.—For deciding whether a farm, whether co-operative agriculture farm or otherwise, is efficiently managed, the various factors mentioned in Annexure III to these rules shall be taken into consideration and marks awarded as shown therein. For judging the yield, the highest yield of the grain or commodity concerned of the best land in the Tehsil shall be the criterion.

32. *Hearing to be given to applicant*.—Before passing final orders rejecting the application or granting exemption, the Special Board shall give the applicant an opportunity of being heard.

## CHAPTER V

### Determination and payment of compensation

#### 33. *Statement of claim for compensation under section 30G.*—

A statement of claim for the compensation payable for lands that have vested in the State Government under section 30E shall be submitted in Form Ceiling XII. As many copies of the statement shall be furnished as there are Tehsils in which the vested lands are situated.

34. *Manner of submission*—A statement of claim may either be presented to the Sub-Divisional Officer in person, or it may be submitted through an authorised agent, or it may be sent by registered post-acknowledgment due.

35. *Enquiry by Sub-Divisional Officer.*—The Sub-Divisional Officer shall, upon receipt of the statement of claim under rule 33—

(i) send one copy of the statement to, and call for a report (to be submitted within one month) from, the Tehsildar of the Tehsil in which the land is situated, as to the correctness or otherwise of the particulars given in the statement, in particular, the extent of land that has vested in the State Government, the sanctioned rent-rates, the existence of tenants and the condition of improvement;

(ii) issue a notice in *Form Ceiling XIII* inviting objections within one month; and

(iii) hear and dispose of objections, if any and then proceed to determine, the compensation payable in accordance with the principles laid down in section 23, 24, 25 and 26, but subject to the provisos to sub-section (3) of Section 30-G.

36. *Mode of service of notice.*—Copies of the notice shall be posted on the notice-board of the court of the Sub-Divisional Officer and on the notice-board of the Tehsil within which the land is situated and at some place of public resort on or adjacent to the land to which it refers; and if the Sub-Divisional Officer issuing the notice so directs, the notice shall be further published by beat of drum on or near the land to which it refers.

37. *Apportionment of compensation*—Subject to the provisions of section 30 H the amount of compensation determined under sub-section (3) of section 30 G and rule 35 shall be apportioned in the following manner among the persons surrendering his land under sub-section (2) of section 30 E or ejected therefrom under sub section (4) of that section (hereinafter in this rule referred to as “such person”) and his tenant:—

Assuming the total amount of compensation payable to be sixteen annas, the share of such person and his tenant shall be as under:—

is under:—

		Share in Annas of	
		(i) Such person, and	(ii) Tenant,
I. Where such person is the estateholder and his tenant is—			
(i) a Khatedar tenant	....	....	-/15/-
(ii) a Tenant of Khudkasht	....	....	-/00/-
(iii) a Ghair Khatedar tenant	....	....	-/12/-
(iv) a Sub-tenant	....	....	-/00/-
II. Where such person is a Khatedar tenant and the other person is a Sub-tenant	....	....	-/00/-
III. Where such person is a Ghair Khatedar tenant and the other tenant is a Sub-tenant	....	....	-/00/-

38. *Mode of payment of compensation.*—The amount of compensation determined under sub-section (3) of section 30 G shall be payable in cash in the manner indicated below:—

- |  |  |
|--|--|
| (i) Where the total amount of compensation payable does not exceed Rs. 500/-.                  | In a lump sum,   |
| (ii) Where the total amount of compensation exceeds Rs. 500/- but does not exceed Rs. 5,000/-. | In five equal yearly instalments, the first instalment being paid within six months of the date of surrender of land under sub-section (2) of section 30 E or ejectment therefrom under sub-section (4) of that section. |
| (iii) Where the total amount of compensation exceeds Rs. 5,000/-.                              | In ten equal yearly instalments, the first instalment being paid as indicated in clause (ii) above.  |

39. *Rate of interest on compensation.*—The amount of compensation shall carry simple interest at two-and-a-half-per-cent per annum from the date of surrender under sub-section (2) of section 30 E or of ejectment therefrom under sub-section (4) of that section, and till the date of payment.



40. *Land revenue etc. to be credited to Consolidated Fund.*—All land revenue, rent or other income of the land that has vested in the State Government as well as the price realised under rule 47, shall be credited to the Consolidated Fund of the State, to which the amount of compensation shall be debited.

## CHAPTER VI

### Allotment of vested Lands

41. *Allotment of vested lands to individual landless persons.*—The land vested in the State Government under section 30E, shall be allotted to landless persons in accordance with the provisions contained in rules 43 to 47; but preference shall be given to a co-operative society of landless persons if the land is in a compact block consisting of one hundred and fifty acres or more.

42. *Allotment of vested lands to co-operative societies.*—Where allotment is made to a co-operative society, it shall be made in accordance with the provisions of the Rajasthan (Allotment of Land to Co-operative Societies) Rules, 1959, as published under Revenue Department Notification No. F. 2 (17) Rev. B/59, dated the 20th May, 1959, subject to the modification that, in addition to the payments mentioned in the said rules, the co-operative society will also be required to pay premium at the rates mentioned in rule 47.

43. *Applications for allotment to be made to the Tehsildar.*—All applications for allotment of land vested in the State Government under section 30E shall be submitted to the Tehsildar of the Tehsil in which the land is situated, either in person, or through an authorised representative, or by registered post (acknowledgment due).

44. *Form of application.*—An application for allotment of such land by an individual landless person shall be in *Form Ceiling XIV*, while that by a co-operative society shall be in *Form Ceiling XV*.

45. *Enquiry by Tehsildar, and form of Register of Applications.*—The Tehsildar, after recording on each application the date and time of its receipt and entering the application in a register of applications in *Ceiling Form XVI*, shall check the particulars given in the application with the entries existing in the annual registers, or other Tehsil record, and shall ascertain whether the name of the applicant is entered in the register of landless persons maintained in the Tehsil and may make such enquiries as he deems fit in regard to the applicant's eligibility and other connected matters. If the applicant is a co-operative

society, the Tehsildar shall ascertain whether it is a registered society and is still working.

46. *Order of priority for allotment.*—If there are more than one applicants for the same plot, the order of priority shall be as under:—

*First*—A person who is a transferee within the meaning of sub-section (2) of section 30D of the Act, and to whom the provisions of sub-section (3) of the said section and of rule 22 of these rules are applicable, in respect of the transferred land:

Provided that he would continue to be a landless person within the meaning of the Act if the area transferred to him were not taken into account.

*Second.*—A landless person who is a member of the armed forces of the Union of India.

*Third.*—Other landless person who do not hold land whether in their own names or in the names of any member of their joint families.

*Fourth.*—A landless person who holds a fragment.

*Fifth.*—A tenant of a contiguous plot of land.

*Sixth.*—Any other landless person resident in the village in which the land is situated :

Provided that if there are more than one person belonging to the same category, the land shall be allotted to the person whose application was received first :

Provided further that no allotment shall result in any allottee getting land in excess of the ceiling area applicable to him.

47. *Terms and conditions of allotment to individual landless persons.*—The terms and conditions of allotment to individual landless persons under these rules shall be as under:—

[i] *Tenure.*—The allotment shall be on a Khatedari tenancy and the allottee shall be entitled to all the rights, and be subject to all the liabilities, of a Khatedar tenant under the Act :

Provided that where the price of the land is paid in instalments, Khatedari rights shall not accrue until the price with interest has been paid in full.

[ii] *Liability to pay rent.*—The allotment shall be subject to the payment of rent at the sanctioned rent-rates applicable to the land :

Provided that if the existing assessment of the land is at rates applicable to uncultivated land, he shall have to pay rent at the lowest class applicable to land to which the land will belong when brought under cultivation.

(iii) *Price of the land.*—The allottee shall have to pay the price of the land at the following rates:—

- (a) Unirrigated (Barani, .. 30 times the sanctioned rent-land. rates, for the lowest class of Barani land in the village.
- (b) Well-irrigated ... 30 times the sanctioned rent-rates for the Chahi soil-class to (Chahi) land. which the land belongs.
- (c) Land falling under .. 40 times the sanctioned rent-some medium or rates for the soil-class to which minor irrigation the land belongs. project.

- (d) Land falling under...60 times the sanctioned rent-some major irriga- rates for the soil-class to which tion project. the land belongs.

10 per cent of the price shall be payable immediately on allotment and the balance shall be payable either in a lump sum within one month thereof at the option of the allottee or in nine equal instalments. In the case of payment by instalments, simple interest at the rate of two-and-a-half per cent per annum will have to be paid along with the principal.

(iv) *Price of wells and permanent structures.*—The allottee will also have to pay the price of wells, and permanent structures, if any, existing on the land, as well as the price of trees growing on the land at rates prescribed for the purposes of sections 80 and 81 of the Act.

(v) *Extent of allotment* —The extent of land to be allotted shall be:—

- (a) *in areas other than those declared as a colony under the Rajasthan Colonisation Act, 1954 (27 of 1954), or those falling under any major, medium or minor irrigation project;*—Unirrigated (Barani) land not less than a fragment, as shown in Annexure II to these rules and not greater than the minimum area prescribed for purposes of clause (a) of sub-section (1) of section 180 of the Act, and given in the Schedule appearing at the end of rule 66 of the Rajasthan Tenancy (Government) Rules, 1955 :

Provided that the area to be allotted shall in no case exceed the ceiling area applicable to the allottee;

- (b) *in a major, medium or minor irrigation project whether declared as a colony or not.*—The extent of land mentioned in the relevant Allotment Rules made under the Rajasthan Colonisation Act, 1954 (27 of 1954).

(vi) *Obligation to cultivate.*—The allottee shall be under an obligation to cultivate at least fifty percent of the allotted land within one year of allotment and the remaining area in the second year :

Provided that this period may be extended by the Tehsildar by one year more if, due to unforeseen causes over which the allottee had no control, he was unable to cultivate the land within the stipulated period. A breach of this condition will render the allottee liable to ejectment under section 177 of the Act.

(vii) *Supply of copy of the order of allotment.*—A copy of the order of allotment in Form Ceiling XVII, shall be given to the allottee to serve as a Sanad, and a fee of rupees five shall be recovered therefore.

## CHAPTER VII

### Miscellaneous

48. *Mode of service of notice.*—Unless otherwise specified in these rules, a notice issued hereunder may be served in any of the models of service of notice mentioned in section 60 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956).

49. *Power to enforce production of documents.*—To enforce the production of documents, if any, and the filing of declarations, the Sub-Divisional Officer may use the power given to him by section 57 of the Rajasthan Land Revenue Act, 1956.

50. *Power to enter upon and survey land.*—For the purpose of enforcing the provisions of Chapter III-B of the Act and of these rules, the Sub-Divisional Officer, or any officer or servant authorised by him, may enter upon and survey land in accordance with the provisions of section 52 of the Rajasthan Land Revenue Act, 1956.

51. *Appeals.*—Appeals from orders passed under these rules shall be governed by the provisions of section 225 of the Act.

## APPENDIX 'A'

(See rule 19)

### Principle for Arriving at Ceiling Areas

1. For the purpose of determining the ceiling area in terms of 'standard acre' as defined in the Explanation to section 30 C of the Act, each district has been considered as a unit, and each assessment circle or assessment group, as a sub-unit.

2. The ceiling groups have been formed by grouping together assessment circles or assessment groups having more or less common, or similar, physical features, soil conditions, cropping pattern; yield and rent-rates; and in the tehsils or districts where there are no assessment circles or assessment groups and the assessment is on village rates, villages of similar maximum rents of standard unirrigated (Barani) soil have been grouped together to form a ceiling group.

3. The estimates of the produce of various classes of land and of various crops have been prepared on the basis of (a) the produce estimates prepared at the time of the current settlement and (b) the results of random sampling surveys or yearly crop-cutting experiments.

4. For the purpose of calculating the average price of ten maunds of wheat and the money value of other produce at average prices, the current market prices that prevailed at the district head-quarters, or the tehsil head-quarters, or in the principal Mandis of the district or the tehsil during the period from Samvat 2000 to Samvat 2017 but excluding the years that were declared abnormal years by notification under clause (b) of sub-section (1) of section 152 of the Rajasthan Land Revenue Act, 1956, were taken either from the returns of market prices published by the Director of Economics and Statistics, Rajasthan, or in the case of prices of produce of which the market prices were not published by the said Director, the required information was obtained from the principal Mandis through the tehsils.

5. In determining ceiling areas, the provisions of the proviso to the Explanation to section 30 C were kept in view, and for this purpose the produce of Chahi land was treated as being equal to that of the highest Barani land.

6. The most common unirrigated (Barani) soil of a ceiling group was taken as the standard soil of sixteen annas value, and the value of the other soil classes in terms of this standard soil was worked out in accordance with the usual formula followed by the Settlement Department and with due regard to the productivity of the different classes of soil, the prevalent soil classification and the prevalent rent-rates; but the canal-irrigated lands in the River Valley Project Areas mentioned in the proviso to sub-section (1) of section 15 of the Act, and in the Rajasthan Canal Project Area, were given the highest factor of forty, while other canal irrigated lands were given the factor of thirty-two; and lands classed as Chahi were given the factor of twenty-four; which is the factor allotted to the highest Barani soil class. Soil-classes lower than the standard Barani have been given lower factors.

## FORM CEILING I

(See rule 3)

Notice under rule 3 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963.

A list of landless persons (as defined in clause 26 (A) of section 5 of the Rajasthan Tenancy Act, 1955) (Rajasthan Act No. 3 of 1955), of village..... of this Tehsil is to be prepared for the purpose of Chapter III-B of the said Act. Applications from those who claim to be landless persons within the meaning of the aforesaid clause are invited and may be submitted to the undersigned in a closed cover marked "Application for registration as landless person" on Ceiling Form II by ..... (date) whereafter no such application shall be entertained.

Take notice also that the covers containing the applications received shall be opened at ..... (name of place) at... .. (hour) on ... .. (date) in the presence of such of the applicants and members of the public who may wish to be present and necessary orders will be passed after summary enquiry and disposal of any objections raised.

Issued under my hand and the seal of this Court, this day of.... .., 196 .  
Seal of the Court ..... Tehsildar.

(26A) "landless person" shall mean an agriculturist by profession who cultivates or can reasonably be expected to cultivate land personally but who does not hold any land, whether in his own name or in the name of any member of his joint family, or holds a fragment.

## FORM CEILING II

(See rule 3)

Application for registration as landless person for the purposes of Chapter III-B of the Rajasthan Tenancy Act, 1955

To  
The Tehsildar,  
.....

Sir,

I claim to be a landless person as defined in clause (26A) of section 5 of the Rajasthan Tenancy Act, 1955, (Rajasthan Act No. 3 of 1955), and I hereby apply for registration as such for the purposes of Chapter III-B of the said Act.

The required particulars are given below:—

Name of village, with name of Tehsil.... ..

1. Name of applicant.

2. Parentage.
3. Age.
4. Address.
5. Particulars of land already held whether in applicant's own name or in the name of any member of his joint family.
  - (i) Name of village, with name of Tehsil; Khasra No.; Area in acres, Soil-class ; Rent; Tenure (Khatedari, Ghair-khatedari, Sub-tenancy, temporary cultivation lease)
  - (ii) Whether land is cultivated personally or not ?
6. Whether applicant owns a pair of bullocks and possesses a plough ?
7. Present occupation or profession.
8. Whether applicant has actually cultivated land; and if so, where and for what period ?
9. Particulars of family as defined in clause (a) of section 30B of the Rajasthan Tenancy Act, 1955.
  - (i) Husband.
  - (ii) Wife.
  - (iii) Children—Number, names and age and whether dependent or not.
  - (iv) Grand-Children - Number, names and ages; whether dependent on applicant or not.
  - (v) Widowed mother of husband, if any, dependant on applicant.
  - (vi) Total.

### VERIFICATION

I state on oath that the particulars given above are true to the best of my knowledge and belief; that I have stated the truth and have not suppressed or concealed any fact and that I do not hold any other land not shown in this application.

Signature

Date

Place

## FORM CEILING III

( See Rule 5)

Register of Landless Persons in Tehsil ... ..

District ... .. as on ... .. (Date)

S. No.	Name of village.	Name with age, parentage and address.	Particulars of existing holding, if any, with name of person in whose name holding stands,	Khasra No., area, soil class, rent and tenure.	How cultivated
1	2	3	4	5	6
Particulars of bullocks and ploughs possessed.	Present occupation or profession and particulars of past experience of cultivation.	Total No. of family members.	Date of registration as landless person.	Particulars of land allotted out of land surrendered on imposition of ceilings with date of order.	Remarks.
7	8	9	10	11	12

## FORM CEILING IV

( See Rule 9 )

Declaration under rule 9 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963.

To

The Sub-Divisional Officer,

.....Sub-Division,

.....District.

Sir,

As required by rule 9 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963. I beg to make the following declaration in respect of (a) my holding as defined for the purposes of Chapter III-B of the Rajasthan Tenancy Act, 1955 and (b) the members of my family.

Yours faithfully,  
(Signature)



- (i) Name of the person making declaration
- (ii) Parentage
- (iii) Age
- (iv) Status i e., Estate-holder/tenant with class of tenancy
- (v) Address

## PART A

Particulars of 'holding' as defined for purposes of Chapter III-B of the Rajasthan Tenancy Act, 1955.

S. No.	Name of Village with name of Tehsil & name of District.	Khewat No., if any.	Khasra No., if any.	Area in acres.	Tenure.	Soil-class recorded in current annual register	Annual rent.
1	2	3	4	5	6	7	8
Whether cultivated personally or let or sub-let. If let or sub-let name (s) parentage, & any, with address (es) of tenant (s) or sub-tenants with class & period of lease or sub-lease.					Date of acquisition of the land referred to in clause (b) of sub-section (1) of section 30 E.	If the holding constitutes a grove or any of the categories of farms mentioned in section 30 J, particulars thereof, specially date of acquisition of the grove or farm.	
9	10		11		12	13	

(i) As on 24-2-1958

(ii) As on 8-12-59

(iii) As on ..... 1963 (Date of submission of declaration),

- Note :—1. For the purposes of Chapter III-B of the Act, all parcels of land held anywhere through out the State of Rajasthan by a person under one or more than one lease, engagement, grant or tenure, and whether cultivated personally or let or sub-let by him is to be deemed to be his holding and where any such land is held by more than one person as co-tenants or co-sharers, the share of each of them is to be deemed to be his separate holding whether a division thereof has or has not actually taken place.
2. If there has been no change, the entries for the two subsequent dates need not be repeated and the words 'As above' or 'No change' may be written.
3. If the space in this form is insufficient the particulars may be continued on plain paper in which column numbers may be written by hand.
4. The area, soil-class etc. of each Khasra No. should be written against that particular Khasra No.

### PART B

#### Particulars of family of declarant.

The family of the declarant consists of..... persons as shown below :—

Children—Number, names and ages and whether dependent on declarant or not.			
Husband	Wife		
1	2	3	
Number, names and ages of grand-children, if any, and whether dependent on declarant.	Widowed mother of husband, if any, if dependent on declarant.		Total
4	5		6

Note:—If the particulars of family are not given, it will be presumed that the family does not consist of more than five persons.

PART C (1)

*(See section 30 D of Rajasthan Act 3 of 1955)*

Particulars of transfers effected on or after 25th February, 1958.

1	Date of transfer.	Khasra Nos. and area transferred.	Name parentage & address of transferee.
1	2	3	4

Nature of transfer.	Consideration money, if any, received.	Whether registered and if so date of registration and name of office of Registrar or sub-Registrar	Area of land held by transferee on the date of transfer.
5	6	7	8

1. By way of partition.
2. In favour of 'landless persons' as described in clause (ii) of sub-section (1) of section 30D read with clause (26 A) of section 5 of Act 3 of 1955.
3. Otherwise, e. g. sale, gift, etc.

PART C (2)

Particulars of transfers effected on or after 9th December, 1959.

1	2	3	4

5	6	7	8
Nature of transfer.	Consideration money, if any, received.	Whether registered and if so date of registration and name of office of Registrar or Sub-Registrar.	Area of land held by transferee on the date of transfer.

1. By way of partition.
2. In favour of landless persons as described in clause (ii) of sub-section (1) of section 30D read with clause (26 A) of section 5 of Act 3 of 1955.
3. Otherwise, e. g. sale, gift etc.

### VERIFICATION

I solemnly verify that the particulars given in this declaration are true to the best of my knowledge and belief; that I have stated the truth and have not suppressed or concealed any fact and that I do not hold any other land which I have not shown in this declaration.

I specifically verify that I do not hold any land in any other sub-division (or that I hold land in..... sub-division (s)).

Witness  
Address  
Date

Signature  
Date  
Place

### PART D

Forwarded to the Tehsildar of Tehsil....\*(through the Sub-Divisional Officer.....) with the request that he will please check the particulars given in the above declaration as laid down in rule 12 and submit report, within three weeks, of the accuracy or inaccuracy of the entries made in the declaration

Date

Sub-Divisional Officer.

.....

### PART E

Returned to the Sub-Divisional Officer .....after check, verification and enquiry with the following report :—

*Part A—Particulars of holdings.*—The particulars given by the declarant are correct\*/the particulars given are incorrect. The correct particulars are as follows :—

*Part B—Members of the family.*—The particulars given by the declarant are correct\*/incorrect. The correct numbers of members of the family are.....

*Part C—(1) Particulars of transfer effected on or after 25-2-1958.*—The particulars given by the declarant are correct/incorrect. \*The correct particulars are ....

*Part C—(2) Particulars of transfers effected on or after 9-12-1959.*—The particulars given by the declarant are correct/incorrect. \*The correct particulars are.....

Remarks :

Tehsildar,

Date.....

Tehsil... ..

\*(Strike out whichever is inapplicable).

PART F

*Form of Receipt for Declaration*

( See rule 11 )

Received Declaration, in Form Ceiling IV, made under rule 9 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963, by Shri ..  
S/o.... resident of village....  
tehsil.... in respect of his holding in village (s)....  
....tehsil (s)....

No. of copies of Declaration received....

Date of receipt.... 196

for Sub-Divisional Officer,

....Sub-Division,

.... District.

FORM CEILING V

(See Rule 10)

*Notice under rule 10 of the Rajasthan Tenancy [Fixation of Ceiling on Land] (Government) Rules, 1963*

NOTICE

To

A. B.

S/o C D.

Resident of....

WHEREAS I, ... Sub-Divisional Officer of ... Sub-Division ... District and required to determine, under Section 30-C of the Rajasthan Tenancy Act, 1955 ( Rajasthan Act No. 3 of 1955 ), the ceiling area applicable to every person holding land in my sub-division.

AND WHEREAS I have reason to believe that you reside or hold land within my jurisdiction, you are hereby required to furnish within ... days from the date of issue of this notice, a declaration in Form Ceiling IV of the Rajasthan Tenancy (Fixation of Ceiling of Land)(Government) Rules, 1963 of your holding as defined for the purposes of Chapter III-B of the above mentioned Act. (*vide* proviso to clause(17) of section 5 of the said Act).

Take notice that if the required declaration is not furnished within the period mentioned above, steps to determine the ceiling area on the basis of available record will be taken; and



check and enquiry; and I propose to take it into consideration, with the object of determining the ceiling area applicable to you, on.... (date to be specified).

If you wish to be heard, you may please attend my court on the date above mentioned, failing which suitable orders shall be passed in regard to the various matters mentioned in Chapter III-B of the Rajasthan Tenancy Act, 1955, and the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963, and no objections will be entertained by me after the date above-mentioned.

Given under my hand and the seal of the Court this...  
 .... day of .... 1963,

Date Sub-Divisional Officer.

Seal of the Court, ....

### FORM CEILING VIII

(See Rule 22)

*Application under Rule 22 of the Rajasthan Tenancy (Fixation of Ceiling on Land Government) Rules, 1963, for refund of consideration money.*

To

The Sub-Divisional Officer,

.... Sub-division,

.... District.

Sir,

In accordance with the provisions of sub-section (3) of section 30 D of the Rajasthan Tenancy Act, 1955, and of rule 22 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963, I hereby apply for refund of the consideration money paid by me for the transfer to me by Shri ... .. of the undermentioned land, \*which transfer has not been recognised for the purposes of Chapter III B of the said Act.

I request that the amount may be recovered out of the compensation money payable to the said transferor by the State Government in respect of the land under section 30 G of the Act and be paid to me:—

#### \*Particulars

- (1) Name and parentage, address and status (Estate-holder/Khatedar Tenant) of the transferor ....
- (2) Name, parentage and address of transferee (applicant) ....
- (3) Date of transfer. ....
- (4) Particulars of land transferred:—
  - (i) Name of village, with name of Tehsil ....

- |  |      |      |      |
|--|------|------|------|
| (ii) Khewat No., if any  | .... | .... | .... |
| (iii) Khasra Number  | ..   | .... | .... |
| (iv) Area in acres   | .... | .... | .... |
| (v) Soil-class, and  | .... | .... | .... |
| (vi) Rent  | .... | .... | .... |
| (5) Full particulars of transfer deed,<br>with name of office at which regi-<br>stered and date of registration. | .... | .... | .... |

Yours faithfully,  
Signature, . ....  
Date .....  
Place .....

### VERIFICATION

I hereby solemnly verify that the particulars given above are true to the best of my knowledge and belief and that I have stated the truth and have not suppressed or concealed any fact.

Signature... ..  
Date .....  
Place.....

### FORM CEILING IX (See Rule 23)

In the Court of the Sub Divisional Officer of ... ..  
... .. Sub-division ... ..  
... .. district,

*Notice under rule 23 of the Rajasthan Tenancy (Fixation of  
Ceiling on Land) (Government) Rules, 1963*

To

A. B. S/o C. D.,  
Resident of .. ...

Whereas E. F. S/s G. H., resident of ... .. has applied as per copy application in *Form Ceiling VIII* appended hereto, for the refund of the consideration money paid by him to you for the transfer of the land mentioned in the application and has requested that the amount be deducted from the amount of compensation payable to you in respect of such land under section 30G of the Rajasthan Tenancy Act, 1955, and be paid to him, you are hereby directed to show cause why the application be not granted.

2. If you have any objections to raise, these may be presented in person, or through an authorised representative, in my Court on .. ... (date to be specified).

3. Take notice that if no such objections are received by the above date, the matter will be finally decided on or after



the date mentioned above and no subsequent objections will be entertained.

Given under my hand and the seal of the Court, this.....

.....day of.....196 .....

Signature of the Sub-Divisional Officer,  
Seal of the Court. ....Sub-division.  
... District.

### FORM CEILING X

(See rule 24)

To

The Tehsildar,

Sub:—Report under sub-section (2) of section 30-E of the Rajasthan Tenancy Act, 1955.

Sir,

As required by sub-section (2) of section 30-E of the Rajasthan Tenancy Act, 1955, I hereby make this report of—

(a) land in excess of ceiling area applicable to me held by me on the date notified under sub-section (1) of section 30-E of the said Act.

OR

(b) acquisition of land in excess of the ceiling area applicable to me after the date notified under sub-section (1) of section 30-E of the said Act.

The particulars of the land are given in the sub-joined table.

2. I hereby surrender such excess land to the State Government and place it at your disposal.

3. I further state that I do not hold land in excess of the ceiling area applicable to me in more than one Tehsil.

OR

\*That I hold land in more than one Tehsil viz., Tehsil ..... the particulars of such land being—

(i) Name (s) of village (s) with name (s) of Tehsil,

(ii) Khewat No. if any,

(iii) Khasra Number, area in acres,

(iv) Soil-class, and

(v) Rent

4. \*I hereby exercise my option to choose that such and such lands (Name (s) of village (s) with name (s) of Tehsil (s) Khasra Nos., Soil-class and rent to be given) may be surrende-

red so as to leave with me land up to the ceiling area applicable to me and shown with a tick mark in the sub-joined table.

5. I further state that the lands surrendered by me are unencumbered.

Yours faithfully,

Signature.

Date

Place.

### THE TABLE

- (1) Name (s) village (s) of with name (s) of Tehsil (s) in which lands are held. ....
- (2) Date notified under sub-section (1) of section 30-E. ....
- (3) Date of this report. ....
- (4) Ceiling area applicable to the applicant. ....
- (5) Date of declaration in *Form Ceiling IV* with name of sub-division to whose Sub Divisional Officer the declaration was submitted. ....

Name of village with name of Tehsil & name of district.	Khewat No. if any.	Khasra No.	Area in acres.	Tenure	Soil class recorded in current annual register
1	2	3	4	5	6

Total      Total

Annual rent.	Whether cultivated personally or let or sub-let; if let or sub-let name (s), parentage, and address(es) of tenant (s) or sub-tenant (s) with class and period of lease or sub-lease	Names, parentage and addresses of co-sharers of tenants if any with extent of share.	Particulars of family of applicant (see clause (a) of section 30 B of Tenancy Act).
--------------	---	--	---

7	8	9	10
Total			

Particulars of encumbrances if any, nature of encumbrance, khasra No., area, soil-class, and rent of land to which encumbrance attaches.	Date of acquisition of the land referred to in clause (b) of sub-sec. (1) of sec. 30-E.	If the holding constitutes a grove or any of the categories of farms mentioned in sec. 30 J, particulars thereof specially date of acquisition of the grove or farm.
--	---	--

11

12

13

- Note:—1. For the purposes of Chapter III-B of the Act, all parcels of land anywhere throughout the State of Rajasthan by a person under one or more than one lease, engagement, grant or tenure, and whether cultivated personally or let or sub-let by him is to be deemed to be his holding and where any such land is held by more than one person as co-tenants or co-sharers, the share of each of them is to be deemed to be his separate holding, whether a division thereof has or has not actually taken place.
2. If the space in this form is insufficient, the particulars may be continued on plain paper on which column numbers may be written by hand.
3. The area, soil-class etc. of each Khasra No. should be written against that particular Khasra No.
4. Column No. 12 is to be filled only if the report is made under clause (b) of sub-section (1) of section 30-E.

Yours faithfully,

Signature .....

Date.....

Place.....

### VERIFICATION

I solemnly verify that the particulars given in this report are true to the best of my knowledge and belief; that I have stated the truth and have not suppressed or concealed any fact that I do not hold any other land which I have not shown in this report.

I specifically verify that I do not hold any land in any other Tehsil \*(or that I hold land in ..... Tehsil or Tehsils.....

Signature.....

Date.....

Place .....

Witness.

Address.

Date.

(\*Strike out whichever is inapplicable).

**PERFORATION.**

Receipt for Report under sub-section (2) of section 30-E, Rajasthan Tenancy Act, 1955

(See Rule 25)

Received Report, in Form Ceiling X, made under sub-section (2) of section 30-E of the Rajasthan Tenancy Act, 1955 and rule 24 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963, made by Shri ..... S/o..... resident of village..... tehsil..... in respect of land (s) situated in village (s) ..... tehsil (s) .....

No. of copies of report received .....

Date of receipt.....196

For Tehsildar,

Tehsil.....

District.....

**FORM CEILING XI**

( See rule 27 )

The Sub-Divisional Officer,

..... Sub-Division.

District .....

Sub-Application for exemption from ceiling, under section 30 J of the Rajasthan Tenancy Act, 1955 and rule 27 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963.

Sir,

I/We submit herewith this application for exemption from the imposition of ceiling under section 30 J of the Rajasthan Tenancy Act, 1955, and rule 27 of the Rajasthan (Fixation of Ceiling on Land) (Government) Rules, 1963.

The necessary particulars are furnished below and the following documents are appended to this application—

(Documents to be specified)

Yours faithfully,

Signature.....

Date .....

Place .....

## PART A

### General

- (i) Name of applicant, with parentage and address ...
- (ii) Name (s) of village(s) in which holding is situated, with name of tehsil ...
- (iii) Date on which declaration under rule 9 was filed ...
- (iv) Date on which report under sub-section (2) of section 30 E was made ...
- (v) Specific clause of sub-section (1) of section 30 J under which this application is made ...

## PART B

Particulars to be furnished if application is made under clause (a) of sub-section (1) of section 30 J.

- (i) Name (s) of village(s) (with name of Tehsil) in which grove(s) is/are situated
- (ii) Khasra No.(s) of grove(s)
- (iii) Area of grove(s)
- (iv) Number and kinds of trees
- (v) Date(s) on which grove(s) was/were acquired
- (vi) Date(s) on which grove(s) was/were registered under rule 2A of the Rajasthan Tenancy ( Board of Revenue ) Rules, 1955
- (vii) If the land under the grove(s) is under cultivation total area under cultivation during each of the preceding 3 years ...
- (viii) If there are more than one groves, the distance separating one grove from another should be stated
- (ix) State reasons for claiming that the grove(s) constitutes ( constitute ) contiguous or compact areas and that the first proviso to sub-section (1) of section 30J is not applicable

## PART C

Particulars to be furnished if application clause (b) of sub-section (1) of section 30J.

- (i) Name of village with name of Tehsil in which sugar-cane factory is situated
- (ii) Year in which factory was established with total annual production in each of the past 5 years

- (iii) Name of village(s) with name of Tehsil in which sugar-cane farm operated by the sugar factory is situated .....
- (iv) Area of sugar-cane farm .....
- (v) Year in which farm was established .....
- (vi) Distance of farm from the sugar factory .....
- (vii) Is only sugar-cane grown in the sugar-cane farm or some cereal or other produce is also grown? If the latter, give particulars of other cultivation during each of the past 5 years .....
- (viii) Give reasons why the third proviso to sub-section (1) of section 30J is not applicable .....

#### PART-D

Particulars to be furnished if exemption is claimed under clause (c) of sub-section (1) of section 30J:

- (i) Name of village, with name of Tehsil in which co-operative agriculture farm is situated .....
- (ii) In which year was the farm registered and does it still hold a valid registration certificate? If so, give the number and date of certificate .....
- (iii) Total membership of the co-operative society .....
- (iv) Total area of co-operative agriculture farm .....
- (v) Names of members, with area contributed by each .....
- (vi) Does the share of any individual member of the society exceed the ceiling area applicable to him? .....
- (vii) Particulars of area actually under cultivation in each of the past 5 years .....
- (viii) Give ground for claiming that the farm is efficiently managed. A copy of Annexure III to these rules should be submitted, duly filled in, along with this application. ....

#### PART-E

Particulars to be furnished if exemption is claimed under clause (d) of sub-section (1) of section 30J:

- (i) Name of village with name of tehsil in which farm is situated. ....

- (ii) Year in which farm was first established
- (iii) Number and year of registration certificate. ( Certificate to be attached).
- (iv) In which line does the farm specialise-cattle-breeding, horse-breeding, sheep-breeding, wool-raising or dairying.
- (v) The figures of annual production, with value, for each one of the past 5 years;
- (vi) Is the area under the farm in one compact block ? If not, how many separate plots are there, and what are the distances of one plot from another ?
- (vii) Does the farm get grant-in-aid or subsidy from the Animal Husbandry Department or any other Department ? If so, give particulars.

I/We solemnly verify that the particulars given above are true to the best of my/our knowledge and belief and that I/we have stated the truth and have not suppressed or concealed any fact or information.

Signature....

Date ...

Place ...

## FORM CEILING XII

(See Rule 33)

*Statement of claim for compensation for lands vested in the State Government under section 30 E of the Rajasthan Tenancy Act, 1955.*

In the Court of Sub-Divisional Officer....  
District....

Sir,

As required by sub-section ( 2 ) of section 30 G of the Rajasthan Tenancy Act, 1955, and rule 33 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963, I hereby submit this statement of my claim for compensation for the lands vested in the State Government under section 30E :—

1. (i) Name, (ii) Parentage, (iii) Status (Estate-holder/tenant with class) and (iv) Address of claimant.

2. Name(s) of village(s) in which lands were situated with name(s) of Tehsil(s)
3. Khewat numbers, if any
4. Khasra numbers
5. Whether irrigated or unirrigated
6. Existing soil class
7. Exact area that has vested (in acres)
8. Rent rate sanctioned during last settlement; or if the second proviso to sub-section (3) of section 30G is applicable, rent-rate sanctioned during last settlement for similar land in the neighbourhood
9. Whether vested lands were being cultivated personally by claimant or were let/sub-let to tenants/sub-tenants, and if so name(s) parentage and address(es) of tenants
10. Amount of compensation claimed for vested land
11. Particulars of improvement, other than well or other irrigation work, for which compensation is claimed
12. Year in which improvement was made
13. Cost of improvement at the time it was made
14. Extent to which the improvement is likely to benefit the land during the next 10 years
15. Compensation claimed for improvement
16. Total compensation claimed under both heads
17. Remarks.

Signature

Date

Place....

### FORM CEILING XIII

(See Rule 35)

*Notice inviting objections to claim for compensation for vested lands in village.... district*

Whereas A, B. S/o C. D., resident of Village....  
Tehsil...., who claims to be an  
Estate holder/tenant has submitted a claim for compensation



for the land particulars whereof are given below\* and for compensation for improvements that have vested in the State Government under section 30E of the Rajasthan Tenancy Act, 1955, notice is hereby given that the said claim shall be taken into consideration on.... (date) and any person, who has any objection to raise, or who claims any share in the compensation, may do so, either in person or through an authorised agent duly instructed to answer all material questions relating to the case.

Take notice that if no objections are received by the date mentioned above, the claim will be heard and decided on or after the said date.

*Particulars of the land*

- (1) Name of village, with name of Tehsil
- (2) Khewat number, if any.
- (3) Khasra No.
- (4) Area.
- (5) Soil class.

Given under my hand and the seal of the Court, this ... day of ... 196...

Seal of the court.

Signature

Sub-Divisional Officer.

Sub-Division.  
District...

FORM CEILING XIV

(See Rule 44)

*Application under rule 44 of the Rajasthan Tenancy (Fixation of Ceiling on Land) [Government] Rules, 1963 for allotment of land surrendered to the State Government under section 30E of the Rajasthan Tenancy Act, 1955.*

To

The Tehsildar,

Sir,

I am a landless person as defined in clause (26A) of section 5 of the Rajasthan Tenancy Act, 1955, I having applied on.... (date) for registration as such and my name having been entered in the register of landless persons maintained by the Tehsil, I request that the land, particulars whereof are given below, which has vested in the State Government under section 30E of the said Act, may be allotted to me.

I, hereby, undertake to abide by the terms and conditions of the allotment and to pay the price of the land and the rent, revenue and other charges.

*Particulars of land*

- [i] Name of village in which land is situated.
- [ii] Khasra No.
- [iii] Area.
- [iv] Soil-Class.
- [v] Rent.
- [vi] Name of person, if known, from whom land was acquired by Government.

Yours faithfully,

Signature ... ..  
 Parentage ... ..  
 Address... ..  
 Date . . . . .

FORM CEILING XV

(See Rule 44)

*Application under rule 44 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963, for allotment of land surrendered to State Government under section 30E of the Rajasthan Tenancy Act, 1955.*

To

The Tehsildar,

... ..

Sir,

I beg to state that.... (name of the co-operative society) is an agriculture co-operative society formed and registered on.... (date) under the Rajasthan Co-operative Societies Act, 1953, and it fulfils the requirements mentioned in clause (i) of rule 2 of the Rajasthan (Allotment of Land to Co-operative Societies) Rules, 1959.

2. I hereby apply, on behalf of the said society, for the allotment, to the society, of the land particulars whereof are given below.

3. The society undertakes to abide by the terms and conditions of allotment and to pay the price of the land as fixed by the Government in addition to the land revenue, rent and other charges.

*Particulars of land*

- (i) Name of village in which land is situated,
- (ii) Khasra No.
- (iii) Area.

(iv) Soil-class.

(v) Rent.

(vi) Name of person, if known, from whom land was acquired by Government.

Yours faithfully,

Signature, (Manager/Secretary)  
of.... .... Society,  
Address ... ..  
Date.... ....

## FORM CEILING No. XVI

[ See Rule 45. ]

Register of Applications for Allotment of Vested Land Tehsil... .... District.....

S. No.	Name of applicant with parentage & address in case of individual landless persons and name of society in case of co-operative societies.	Date & time of receipt of application.	Particulars of land applied for				Date of vesting of the land in State Govt.	Improvements & other permanent structures etc. price of which will have to be paid.	Registered No. of applicant in the register of landless persons; or No. & date of certificate in the case of co-operative societies.	Gist of order passed with date.	Remarks	
			Name of Village	Khasra No.	Area	Soil- class	Rent					
1	2	3	4	5	6	7	8	9	10	11	12	13

## FORM CEILING XVII

[ See Rule 47 (vii) ]

Order of allotment under Rule 47 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963

1. Name, parentage and address of allottee ....
2. Date and time of receipt of application .....
3. Date of order of allotment ....
4. Particulars of land allotted ... ..
  - (a) Name of village.
  - (b) Khasra numbers.

- (c) Area in Bighas/Acres.
- (d) Soil-class.
- (e) Means of irrigation, with details.
- (f) Annual rent payable.
- (g) Price of land, wells, permanent structures, trees, charged.
- (h) Whether the price has been paid in a lump sum or is to be paid in instalments; and if the latter, the number and amount of instalments and date of payment, with interest at two-and-a-half per cent per annum

Possession of the allotted land has been handed over to the allottee. This order of allotment shall be treated as a Sanad and the receipt of a fee of rupees five for the Sanad is hereby acknowledged.

Seal of the Court.....

Tehsildar.....

Tehsildar.....

### ANNEXURE I

[See Rule 19]

District.....

#### PART A

S. No.	Names of soil classes	Ceiling area in ordinary acres for the soil-classes mentioned in column 2 for each Ceiling Group				
		Group I	Group II	Group III	Group IV	Group V
1	2	3	4	5	6	7

#### PART B

S. No.	Names of villages.	No. of Ceiling Group in which village mentioned in column 2 placed.	S. No.	Names of villages	No. of Ceiling Group in which village mentioned in column 2 placed.
1	2	3	1	2	3

Tehsil.....

Assessment Circle.....

## ANNEXURE II

[See Rule 20]

*Areas representing a fragment for the purpose of sub-section 2) of section 30-I of the Rajasthan Tenancy Act, 1955*

S. No.	Name of Distt.	Name of Sehsil.	Area of unirrigated Baraniland in ordinary acres representing a fragment.
1	2	3	4
1	Bikaner	Bikaner Lunkaransar Magra Nokha	15
2	Churu	Rajgarh Ratangarh Sujargarh Taranagar Dungargarh Sardarshaher	13   15
3	Ganganagar	Ganganagar Karanpur Padampur Raisinghnagar Anoopgarh Hanumangarh Nohar Bhadra Suratgarh	(1) 3.12 acres in commanded area. (2) 12.5 acres in uncommanded area.  10
4	Alwar	Alwar Lachhmangarh Rajgarh Thana Ghazi Behror Kishangarh Mandawar Tijara Bansur Kama Deeg Nagar Bayana	
	Bharatpur		

1	2	3	4
		Roopwas Weir	
Bharatpur		Bharatpur	6
		Nadbai	
		Bari	
		Gird (Dholpur)	
		Rajakhera	8
		Basedi	
6 Jaipur		Jamwaramgarh	
		Dausa	
		Chaksu	8
		Arain	
		Phagi	
		Dudu	
		Bairath	
		Kotputli	
		Baswa (Bandikut)	
		Lalsot	9
		Sikrai	
		Kishangarh	
		Sarwar	7
		Amber	
		Jaipur	
		Bassi	
		Sanganer	
		Roopangarh	10
		Phulera	
6-A Ajmer		Ajmer	
		Kekri	
		Beawar	7
7 Jhunjhunu		Khetri	10
		Udaipurwati	
		Chirawa	12
		Jhunjhunu	
8 Sawai Madhopur		Gangapur	
		Hindaun	
		Madhwa	
		Todabhim	7
		Bamanwas	
		Nadoti	
		Bonli [Malarna Choud]	
		Sawai Madhopur	

R. T (Fixation of Ceiling on Land) (Government) Rules, 1962 [ 43

1	2	3	4
		Karauli	
		Sapotra	8
		Khandar	
9	Sikar	Neem-ka-Thana	
		Srimadhopur	10
		Dantaramgarh	
		Sikar	
		Fatehpur	
		Lachhmangarh	
10	Tonk	Tonk	
		Malpura	
		Todaraisingh	7
		Duni	
		Uniara	
		Niwai	8
11	Barmer	Siwana	12
		Pachpadra	15
		Barmer	
		Chohtan	20
		Shco	
12	Jaisalmer	Pokaran	15
		Jaisalmer	
		Fatehgarh	20
		Nachna	
		Ramgarh	25
		Sam	
13	Jalore	Jalore	
		Ahore	
		Jaswantpura	10
		Sanchoe	
14	Jodhpur	Bilara	9
		Jodhpur	12
		Shergarh	
		Oisan	15
		Phalodi	
15	Nagaur	Digana	10
		Parbatsar	
		Nawa	8
		Merta	
		Didwana	
		Ladanu	12
		Jayal	
		Nagaur	13

1	2	3	4
16	Pali	Bali	7
		Desuri	9
		Jaitaran	8
		Raipur	-
		Kharchi [Marwar]	8
		Sojat	
		Pali	
17	Sirohi	Sirohi	
		Reodar	9
		Sheoganj	2 4 9
		Abu Road	
		Pindwara	7
18	Bundi	Bundi	
		Patan	
		Talera	7
		Hindoli	
		Nainwa	
19	Jhalawar	Aklara	
		Bakani	
		Manohar Thana	7
		Pirawa [including Sunel area]	
		Khanpur	
		Gangdhar	
		Pachpahar	6
		Jhalra Patan	
		Dag	
20	Kotah	Anta	
		Baran	
		Manrol	
		Atru	
		Chhabra	
		Chhipabarod	
		Kanwas	
		Sangod	
		Berod	6
		Digod	
		Itawa	
		Pipalda	
		Chechat	
		Ramganj Mandi	
		Ladpura	7
		Kishanganj	
		Shahbad	8



1	2	3	4
21	Bhilwara	Mandal	
		Raipur	
		Shahada	6
		Asind	6
		Banera	
		Bhilwara	
		Kotri	7
		Hurda	
		Shahpura	
		Mandalgarh	
		Jahazpur	
22	Chittorgarh	Begun	
		Chittorgarh	
		Gangrar	
		Kapasin	
		Rashmi	6
		Badi Sadri	
		Chhoti Sadri	
		Bhadesar	
		Doongla	
		Kanera	
		Neembahera	
		Pratapgarh	
		Achhanera	
		Bhensrorgarh	7
23	Banswara	Banswara	
		Gadhi	
		Ghaol	6
		Bagidora	
		Kushalgarh	
24	Udaipur	Kumbhalgarh	
		Saira	5
		Railnagra	
		Girwa (Udaipur)	
		Mavli	
		Vallabhnagar	
		Rajsamand	6
		Nathdwara	
		Bhoopalsagar	
		Bhim	
		Deogarh	7
		Amet	
		Khotra	

1	2	3	4
		Phalasia	
		Kherwara	
		Salumber	8
		Sarada	
		Lasadia	
25	Dungarpur	Aspur	
		Dungarpur	6
		Sagwara	

## ANNEXURE III.

*See rule 31 of the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963.*

Particulars	Marks.
I-Layout—	[47]
(a) Terracing and levelling	12
(b) Voluntary consolidation	9
(c) Straight bunds and water channels or contour bunds	8
(d) Field areas standardised	6
(e) Approach roads to field	5
(f) Fencing	4
(g) Tree planting at suitable places	3
II. Cultivating Practices	[63]
(a) Control of weeds	25
(b) Improved implements and improved methods	13
(C) Dry Farming Practices	
III. Sowing Practices	[63]
(a) Improved and good seed	19
(b) Pre-sowing treatment of seed	6
(c) Sowing in lines	13
(d) Seed rate	13
(e) Stand of crop	12
IV. Manure Practices :—	[94]
(a) Conservation of farm-yard manure and compost making	38
(b) Green-manuring and fertilizer practices	37
(c) Growing of Leguminous crop	19

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V. Soil Conservation Practices :— [31]

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(a) Heavy Bunds	13
(b) Contour ploughing	9
(c) Tree-plantation on slopes	3
(d) Keeping soil covered in rainy season	6
(e) Maintenance of stubbles or bushes in fields during summer	...
(f) Wind-breaks	...

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VI. Development of Irrigation Facilities :— [31]

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VII. Plant Protection Measures :— [47]

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VIII. Keeping of records :— [62]

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(a) Map of the farm	6
(b) Statement of area of fields, type of soil, etc.	6
(c) Statement of crops sown, produce received and gross income	19
(d) Statement of expenditure	13
(e) Statement of dates of performance of operation	12
(f) Miscellaneous records	6

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IX. Miscellaneous Items :— [62]

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Quality of draught and milch animals and their maintenance, arrangements for storage of produce, small orchards, home poultry farm, agriculture, cericulture, participation in co-operative association, treatment with labour etc.	62
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X. Yields :— 500

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*Notification No. F.6 [9] Rev, B/64.*—In exercise of the powers conferred by section 257 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), the State Government hereby makes the following amendments in the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963, (as originally published under this department's notification No. F. 6 (120) Rev. B/60 (II), dated the 28th November, 1963, in Part IV-C of the Rajasthan Gazette, Extraordinary, dated the 1st December, 1963), the same having been previously published in the Rajasthan Gazette, Extraordinary, part III-B, dated the 21st January, 1964, as required by section 259 of the said Act, namely—

### AMENDMENT

In rule 9 of the said rules,—

(1) the following shall be inserted as the first proviso, namely:—

“Provided that in the case of an Indian Soldier serving under special conditions within the meaning of section 3 of the Indian Soldiers (Litigation) Act, 1925 ( Central Act 4 of 1925 ), who is the sole tenant of the land, the declaration may be filed within ninety days from the termination of service under such special conditions;”

(2) in the existing first proviso, after the word ‘provided’ the word ‘further’ shall be inserted ;

(3) in the existing Second proviso, for the word ‘further’ the word ‘also’ shall be substituted.

[Revenue (B) Department Notification dated 2-4-64 Published in Rajasthan Gazette Extraordinary-Part IV (Ga)-dated 2-4-64 ]

Revenue ‘B’ Department

Jaipur, May 12, 1965.

*Notification No. F. 6 (9) Rev, B/64.*—In exercise of the powers conferred by section 257 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), the State Government hereby makes the following amendments in the Rajasthan Tenancy (Fixation of Ceiling on Land) ( Government ) Rules, 1963, ( as originally Published under this department's notification No. F. 6 (120) Rev. B/60 (ii), dated the 26th November, 1963, in Part IV C of the Rajasthan Gezette, Extraordinary, dated the 1st December 1963), the same having been previously published in the Rajasthan Gazette, Extraordinary, Part III-B dated the 9th March, 1965 as required by section 259 of the said Act, namely—

## AMENDMENTS

In the said rules—

(i) In rule 3, for the words “within thirty days of the appointed date”, the words “within sixty days of the publication of the notification under section 30E of the Act” shall be substituted;

(2) The following shall be substituted for rule 9, namely:—

“9. Declaration to be filled by land-holders and tenants.—  
In order to enable the Sub-Divisional Officer to—

(a) determine, under section 30-C of the Act, the ceiling area applicable to every person holding land in his sub-division; and

(b) eventually, enforce the provisions of section 30-E;

every land-holder and tenant who was, on the 25th of February, 1958, or the 9th December, 1959, or the 15th of December 1963, or who is on the 1st of April, 1965, in possession of land in excess of the ceiling area applicable to him, shall, within six months of the 1st of April, 1965, furnish to the Sub-Divisional Officer of the sub-division in which his holding, or any part thereof is situate, a declaration of his holding and particulars of his family in Form Ceiling IV:

Provided that in the case of an Indian Soldier serving under special conditions within the meaning of section 3 of the Indian Soldiers Litigation Act, 1925 (Central Act 4 of 1955) who is the sole tenant of the land, the declaration may be filed within six months from the termination of service under such special conditions :

Provided further that if his holding is situate in more than one sub division, he shall submit a declaration in the said form to the sub-Divisional Officer of the sub Devision in which the major portion of the holding is situate with additional copies for the Sub-Divisional Officer of every other sub-division in which any portion of the holding is situate:

Provided also that if the holding is situate in more than one Tehsil, as many additional copies of the declaration as there are Tehsils in which the holding is situate shall be submitted.

(3) In Form Ceiling VI—

(i) after the words “came into force from” the figures and words “the 15th of December 1963” shall be inserted;

(ii) for the words “the period of ninety days from such date expired on”, the words and figures “the period of six months from the date notified for the purposes of section 30E of the Act expired on” shall be substituted.

Revenue (B) Department

Jaipur, April 26, 1966

*Notification No. F. 6 (9) Rev.B/64.*—In exercise of the powers conferred by section 257 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), the State Government hereby makes the following amendments in the Rajasthan Tenancy (Fixation of Ceiling on Land) (Government) Rules, 1963, (as originally published under this department's notification No. F. 6 [120] Sev./B/ 60 [ii] dated the 26th November, 1963, in Part IV-C of the Rajasthan Gazette, Extraordinary, dated the 1st December, 1963); the same having been previously published in the Rajasthan Gazette, Extraordinary, Part IV-C, dated the 11th February, 1966, as required by section 259 of the said Act, namely—

### AMENDMENTS

In the said rules—

(i) In rule 9 for the expression "1st of April, 1965" wherever occurring the expression "1st of April, 1956" shall be substituted.

(ii) In rule 27, for the expression "within ninety days of the appointed date", the expression "within six months of the date notified for the purpose of section 30E of the Act", shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 [Ga] Dt. 26-4-66 page 17]

*Notifications under,*

**" RAJASTHAN TENANCY ACT, 1955.**

*Published in Raj. Raj-patra Dated October 15, 1955 part IV (c) at page 1,*

Revenue Department.

**NOTIFICATION**

Jaipur, October 14, 1955.

No. F. 1 [37] Rev./B/55.—In exercise of the power conferred by sub-section (3) of section 1 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955) the State Government is pleased to appoint the 15th of October, 1955 as the date from which the aforesaid Act shall come into force.

P. N. KAUL,

Secretary to the Government.

*Published in Raj. Raj-patra Dated May 19, 1956 part I (b) at page 194:*

**NOTIFICATION**

Jaipur, May 10, 1956.

No. F. 6 (513) Rev. (B)/55.—In exercise of the powers conferred by the proviso to Section 15 of the Rajasthan Tenancy Act 1955 (No. 3 of 1955), the Government of Rajasthan is pleased to order that no Khatedari rights shall accrue under section 15 of the said Act to any tenant to whom land is or has been let out temporarily in the area notified as colony by this Government Notification No. F. 6 [513] Rev (B)/55 dated the 10th May, 1956.

By Order,

R. N. HAWA

Secretary to the Government.

*Published in Raj. Raj-patra Dated December 18, 1958 part IV (c) at page 1264-65*

Revenue (B) Department

Order

Jaipur, November 24, 1958.

Subject:—Abolition of Lag Bags (Cesses) in Rajasthan.

No. F. 6 [19] Rev. B/51.—The recommendations of the Lag Bags Abolition Committee constituted under Government Order No. F. 6 19] Rev. 1/53, dated the 12th December, 1953, having been considered, the Government are pleased to order that all cesses, by whatever appellations they may be known, that are being levied or recovered by the Government from the tenants of Government land over and above the rent of their holdings of agricultural land which come within the ambit of section 35 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955), and all cesses payable to Government by non agriculturists, village workers or shop-keepers which are not being realised under some specific Act having the force of law, be abolished forthwith throughout Rajasthan, with the following exceptions:—

(1) Grazing dues and Sayar income from un-occupied Government lands

whether known as—

Ghasmari,

Ginti,

Pancharai,

Khirkhari Bab,

Dashera,

Dig,

Ghas Neelam,

Desh Dan Pancharia Salt, or,

Bhunga.

(2) All cesses or dues levied from the Jagirdars, Muafidars and Grantees, as these would automatically be abolished with the abolition of Jagirs.

(3) Cesses levied under the District Board Acts, viz:—

- (a) Jaipur District Board Cess in the area of the former Jaipur State; and
- (b) District Board Cess also known as local rate in the area of the former Bikaner State; and

Cesses such as the—

- (a) Siwal cess in the Alwar District; and
- (b) the local rate in the Bharatpur District which are not levied under any specific Act, but which form part of the Settlement arrived at with the Biswedars or Zamindars and are in the nature of local development cesses; these will continue to be levied until these are replaced by the District Board cess.

By Order of the Governor,  
R. K. CHATURVEDI,  
Secretary to the Government.



*Notifications under*

**Rajasthan Tenancy Act, 1955.**

*Published in Raj. Raj-patra part IV (c) dated September 8, 1960 at page 343*

Revenue (B) Department

**NOTIFICATION**

*Jaipur, August 13, 1960.*

*No. F. 6 (82) Rev. B/59.*—In exercise of the powers conferred by clause (c) of subsection (1) of section 219 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955), the State Government does hereby confer on all Tehsildars the powers of an Assistant Collector to dispose of applications under section 80 of the Act for payment of compensation for trees which have vested in a khatedar tenant under that section but are the property of any other person and in which the amount of compensation claimed exceeds the limit of Rs. 300/- specified in sub-section (2) of section 217 of the Act.

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

## Notifications under

### RAJASTHAN TENANCY ACT, 1955

**Notification No. F. 6 (120)Rev. B/60/(iii)**—In exercise of the powers conferred by sub-section (1) of section 30 E of the Rajasthan Tenancy Act, 1955, (Rajasthan Act 3 of 1955), the State Government hereby notifies the Fifteenth day of December, 1963, as the date for the purposes of the said section in respect of all holdings of 150 ordinary acres and above situated in all areas other than areas covered by the Rajasthan Canal Project.

Rajasthan Gazette—Ex. Part IV (Ga) Dated 1. 12. 1963).

**Notification No. F. 6 (1) Rev.-B/64.**—In exercise of the powers conferred by sub-section (2) of section 30J of the Rajasthan Tenancy Act, 1955 (Rajasthan Act, 3 of 1955), the State Government hereby exempts the following classes of lands from the operation of section 30E of the said Act, for the reasons mentioned against each, namely:—

---

#### Classes of lands.

1

#### Grounds.

2

1. Lands held by any University or other educational institution in Rajasthan.

2. Lands granted to, and held by, members of the armed forces of the Union of India for gallantry.

3. Lands held by the Rajasthan Co-operative Central Land Mortgage Bank established and registered or deemed to be registered as such under the Rajasthan Co-operative Societies Act, 1953, or a Co-operative Land Mortgage Bank so registered or deemed to be registered and admitted as a member of the Rajasthan Co-operative Central Land Mortgage Bank.

To further the cause of education in agriculture and promote agricultural research.

To serve as an incentive to recruitment in the armed forces of the Union of India and encourage the members of such armed forces to adopt improved methods of agriculture and increased production.

To facilitate the working of the Co-operative Land Mortgage Banks to enable them to provide long term loans to tenants for the improvement of their lands.

4. Gramdan and Bhoodan lands held by the Rajasthan Bhoodan Yagna Board. To encourage the Gramdan and Bhoodan movements initiated by Acharya Vinoba Bhave.

(Rajasthan Gaz. Ex. Part-IV (Ga.) dated 8. 1. 1964)

### REVENUE (B) DEPARTMENT

Jaipur, April 6, 1967

Notification No. F. 6 (9) Rev. B/Gr-1/67.—In exercise of the powers conferred by sub-section 12 of section 30J of the Rajasthan Tenancy Act, 1955 (Rajasthan, Act 3 of 1955), the State Government hereby exempts the following lands from the operation of section 30E of the said Act, for the reasons mentioned therein :—

Particulars of Lands	Grounds
1. Land held by members of Co-operative Collective Farming Societies to whom tube-well lands are allotted under the Rajasthan Land Revenue (Tube-well lands allotment Rules, 1966.)	To fully utilize the water potentialities of the tube-wells and to check the growth of desert.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 27-7-67 Page 506]

### REVENUE (B) DEPARTMENT

Jaipur, April 29, 1965.

Notification No. F.6 (64) Rev. B, Gr.1/64.—In exercise of the powers conferred by the proviso the sub-section (1) of section 66 of the Rajasthan Tenancy Act, 1955, (Rajasthan Act 3 of 1955), and in supersession of this Department's notification No. F. 6 (71) Rev. B/63, dated the 1st May, 1964, the State Government hereby restricts, in the public interest, the making of any such improvement, as is referred to in sub-clause (a) of clause (19) of Section 5 of the said, Act, namely—dwelling-house, cattle-shed, or store-house or any other construction for agricultural purposes erected or set up on a holding, in areas specified below, namely:—

- (1) Areas situated in the Gang Canal area of the Bhakra, Chambal Jawai or Rajasthan Canal Projects or areas irrigated by any other Major Irrigation Project, and declared as a colony under clause (ii) of section 2 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act 27 of 1954);
- (2) All areas within a radius of—
  1. twelve miles of the municipal limits of the city of Jaipur; or
  2. six miles of other city as defined in the Rajasthan Municipalities Act, 1959 (Rajasthan Act 38 of 1959); or
  3. three miles of any other municipality; or

4. ten miles of any area for which the State Government has, by an order issued under section 3 of the Rajasthan Urban Improvement Act, 1959 ( Rajasthan Act 35 of 1959 ) directed as carrying out of a civic survey and the preparation of a master plan; or
5. five miles of any city, town or village, or other area in which an industry with an investment capital of over one crore of rupees has been or is proposed to be set up or within the area which may be fixed by Government for this purpose.

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 30-4-65-Page 21]

### REVENUE 'B' DEPARTMENT

Jaipur, February 11, 1966.

Notification No. F. 6 (9) Rev B/64—In exercise of the powers conferred by sub-section (1) of section 30E of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), and in supersession of this department's notification No. F 6 (9) Rev B/64, dated the 5th March, 1965 [as published in part IV-C of the Rajasthan Gazette, Extraordinary, dated the 9th *idem*], the State Government hereby notifies the first day of April On Thousand Nine Hundred and Sixty-Six A. D as the date for the purpose of the said section in respect of all areas other than the areas covered by the Rajasthan Canal project. Every land-holder and tenant in such areas who was, on the 25th of February, 1958, or on the 9th of December, 1959, or on the 15th of December, 1963, or who is, on the 1st of April, 1966, in possession of land in excess of the ceiling area applicable to him, should, within six months from the 1st of April, 1966, furnish to the sub-Divisional Officer of the sub-Division in which his holding or any part thereof is situate a declaration of his holding and particulars of his family in accordance with rule 9 of the Rajasthan Tenancy (Fixation of Ceiling on land) (Government) Rules, 1963.

[Pub. in Raj. Gaz. Ex. 4 [Ga] Dt. 11-2-66-Page 1141]

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*Rules and Notifications under*

TENANCY (AMENDMENT) ACT, 1959.

( RAJ. ACT No. 7 OF 1959 ).

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*Notifications under*

**Rajasthan Tenancy (Amendment) Act, 1959.**

*Published in Raj. Raj-patra part IV (c) dated March 31, 1959 at page 221*

Revenue (B) Department

**NOTIFICATION**

*Jaipur, March 28, 1959.*

No. F. 6 (20) Rev. B/59.—In pursuance of sub-section (2) of section 1 of the Rajasthan Tenancy (Amendment) Act, 1959 (Rajasthan Act 7 of 1959) the State Government does hereby appoint the 5th of April, 1959, as the date on which the said Act shall come into force.

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

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*Rules and Notifications under*

RAJ. TENANCY (AMENDMENT) ACT, 1960.

*Notification under*

**RAJASTHAN TENANCY (AMENDMENT) ACT, 1960**

**Notification No. F. 6 (120) Rev. B/60 (i)**—In exercise of the powers conferred by sub-section (2) of section 1 of the Rajasthan Tenancy (Amendment) Act, 1960 (Rajasthan Act 4 of 1960), as published in the Rajasthan Gaz. Ex., Part IV A, dated the 21st March, 1960, the State Government hereby appoints the Fifteenth day of December 1963, as the date on which the said Act shall come into force.

[Rajasthan Gazette—Ex. Part IV (Ka) Dated 1-12-63]



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*Rules and Notifications under*

TRADE MARKS ACT, 1940.  
( CENTRAL ACT No. 5 OF 1940 ).

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*Notifications under*

## TRADE MARKS ACT, 1940.

*Published in Rajasthan Raj patra Vol. 2 No. 156 part I at page 1045 :*

Jaipur, March 13/19, 1951.

No. F. 30 [1] C. I. [B]/51.—The Government of Rajasthan are pleased to notify for general information that all enquiries regarding Trade Marks whether in respect of applications already filed at any of the Trade Marks Registries of any of the States now forming part of Rajasthan or otherwise, as also all fresh applications for registration of Trade Marks should be addressed to the Registrar of Trade Marks, Trade Marks Registry, New Marine Lines, Bombay.

By Order of  
His Highness the Rajpramukh,  
R. N. Dey,  
Secretary to the  
Government of Rajasthan,  
Commerce & Industries Department.

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*Rules and Notifications under*

TRADE UNIONS ACT, 1926.  
( CENTRAL ACT No. 16 OF 1926 ).

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# Rajasthan Trade Union Regulations, 1959.

Industries (C) Department

( Labour Section )

## NOTIFICATION

*Jaipur, February 2, 1959.*

No. F. 1(76)/Lab /57—In exercise of the powers conferred by section 29 of the Indian Trade Unions Act, 1926(XVI of 1926), the Government of Rajasthan, after previous publication hereby makes the following rules, in relation to Trade Unions, whose objects are confined to Rajasthan namely:—

**1. Title and Application.**—(1) These regulations may be called the Rajasthan Trade Union Regulations, 1959.

### Notes

Section 29 of the Trade Unions Act, 1926 authorises the appropriate State Government to make rules for the purposes of carrying into effect the provisions of the Act. Such regulations are required to provide for :—

(a) the manner in which Trade Unions and the rules of Trade Union shall be registered and the fees payable on registration ;

(b) the transfer of registration in the case of any registered Trade Union which has changed its head office from one State to another;

(c) the manner in which, and the qualifications of persons by whom the accounts of registered Trade Unions or of any class of such Unions shall be audited;

(d) The conditions subject to which inspection of documents kept by Registrars shall be allowed and the fees which shall be chargeable in respect of such inspections; and

(e) any matter which is to be or may be prescribed.

(2) These regulations will apply to Trade Unions, whose objects are confined to this State only.

**2. Definitions.**—In these regulations unless there is anything repugnant to the subject to a context:—

(1) The Act means the Indian Trade Unions Act, 1926 (XVI of 1926).

(2) “Form” means a form appended to these regulations.

(3) “Section” means a section of the Act.

**3. Application for registration.**—Every application for registration of a Trade Union shall be made in Form ‘A’.

## Notes

Application for registration is required to be made under sub-section [1. of section 5 of the Act and the same is required to contain the following particulars :—

(a) The names, occupations and addresses of the members making the application;

(b) The name of the Trade Union and the address of its head office; and

(c) the titles, names, ages, addresses and occupations of the officers of the Trade Union.

4. *Register of Trade Unions.*—The Register of Trade Unions referred to in section 8 shall be maintained in Form 'B'.

## Notes.

The form of register has been prescribed, as required under section 8 of the Act.

5. *Certificate of Registration.*—(1) The certificate of registration issued by the Registrar under section 9 shall be in Form 'C',

## Notes.

The form has been prescribed in pursuance of section 9 of the Act.

(2) When the Registrar registers a change of name under sub-section (3) of section 25, he shall certify under his signature at the foot of the certificate on its presentation to him by the secretary of the Trade Union that the new name has been registered.

## Notes.

Sub-section (3) of section 25 of the Act requires that the change of name shall be registered in the register referred to in section 8 of the Act.

6. *Cancellation of registration* :—The registrar on receiving an application for the cancellation of registration shall, before granting the applications satisfy himself that the withdrawal of cancellation of registration was approved by a general meeting of the Trade Union, or in it was not so approved that it has the approval of the majority of the members of the Trade Union. For this purpose, he may call for such further particulars as he may deem necessary and may examine any officer of the Union.

7. *Fees.*—The fee payable for the registration of Trade Union shall be Rs 5/-.

8. *Amendment of Rules.*—(1) On receiving a copy of an alteration made in the rules of a Trade Union under section 28 (3), the Registrar, unless he has reason to believe that the alteration has not been made in the manner provided by the rules of the Trade Union, shall register the alteration in a register to be

maintained for this purpose and shall notify the fact that he has done so to the secretary of the Trade Union.

(2) The fee payable for registration of alteration of rules shall be Rs.1/- for each set of alterations made simultaneously.

#### Notes.

Section 6 of the Act requires that a Trade Union shall not be entitled to registration under the Act unless rules thereof provide for the matters referred to in section 6 of the Act. Sub-section (3) of section 28 of the Act requires that a copy of every alteration made in the rules of registered Trade Union shall be sent to the Registrar within 15 days of the making of the alteration. This rule provides for the registration of such alteration.

**9. Appeals.**—Any appeal made under section 11 (1) of the Act must be filed within sixty days of the date on which the registrar passed the order against which the appeal is made.

#### Notes.

Sub-section (1) of section 11 of the Act gives a right of appeal to any person aggrieved by any refusal of the Registrar to register a Trade Union or by the withdrawal or cancellation of the Certificate of registration. Such appeal has to be made within such period as may be prescribed. This rule prescribes such limitation.

**10. Funds of a Dissolved Trade Union.**—Where it is necessary for the Registrar, under section 27 (2) to distribute the funds of a Trade Union which has been dissolved he shall divide the funds in proportion to the amounts contributed by the members by way of subscription during their membership.

#### Notes.

Sub-section (1) of section 27 of the Act requires the registration of the desolution of Trade Union. Sub-section (2) of section 27 authorises the Registrar to divide the funds of the dissolved Trade Union amongst the members in such manner as may be prescribed, This authority, however; arise in the absence of any rule of the Trade Union providing for such distribution

**11. Returns**—The annual return to be furnished under section 28 shall be submitted to the registrar by the 31st day of July in each year and shall be in Form 'D'.

#### Notes.

Sub-sections (1) and (2) of section 28 of the Act, reading as under, provide for submission of returns specified therein:—

(1) There shall be sent annually to the Registrar on or before such date as may be prescribed, a general statement audited in the prescribed manner, of all receipts and expenditure of every registered Trade Union during the year ending on the 31st day of March next preceding such prescribed date, and of the assets and liabilities of the Trade Union existing on

31st day of March. The statement shall be prepared in such form and shall comprise such particulars as may be prescribed.

(2) Together with the general statement there shall be sent to the Registrar a statement showing all changes of officers made by the Trade Union during the year to which the general statement refers, together also with a copy of the rules of the Trade Union corrected up to the date of the despatch thereof to the Registrar.

12. *Auditors*.—Save as provided in sub-clauses (2), (3), (4) and (5) of this regulation, the annual audit of the accounts of any registered Trade Union shall be conducted by an auditor authorized to audit the accounts of companies under section 144 (1) of the Indian Companies (Amendment) Act, 1930 or under section 3 (2) of the Indian companies (Amendment) Act 1950).

(2) Where the membership of a Trade Union did not at any time during the financial year exceed 2,500, the annual audit of the accounts may be conducted :—

- (a) By any examiner of local fund accounts, or
- (b) By any local fund auditor appointed by the Rajasthan Government, or
- (c) By any person, who having held an appointment under Government in any audit or accounts department is in receipt of a pension of not less than Rs. 200/-per mensem.

(3) Where the membership of a Trade Union did not at any time during the Financial year exceed 750, the annual audit of the accounts may be conducted.—

- (a) by any two persons holding office as magistrates or Judges or as members of any Municipal Council, District Board, or Legislative Body, or
- (b) by any person, who, having held an appointment under Government in any audit or accounts department is in receipt of a pension from Government of not less than Rs. 75/-per month, or
- (c) by any auditor appointed to conduct the audit of any co-operative societies by Government or by the Registrar of co-operative organisation recognised by the Government for this.

(4) Where the membership of a Trade Union did not any time during the financial year exceed 250 the annual audit of the accounts may be conducted by any two members of the Union.

(5) Where the Trade Union is a federation of unions, and the number of union affiliated to it at any time during the financial year did not exceed 50, 15 or 5 respectively the audit of the

accounts of the federation may be conducted as if it has not at any time during the year had a membership of more than 2500, 750 or 250 respectively.

13. *Exception.*—Notwithstanding anything contained in regulation 12 no person who, at any time during the year was entrusted with any part of the Funds or securities belonging to the Trade Union shall be eligible to audit the accounts of that Union.

14. *Audit.*—The auditor or auditors appointed in accordance with the regulations shall be given access to all the books of the Trade Union and shall verify the annual return with the accounts and vouchers relating thereto and shall thereafter sign the auditors declaration appended to for D, indicating separately on that form under his signature or their signatures a statement showing in what respect he or they find the return to be incorrect, unvouch or not in accordance with the Act. The particulars given in this statement shall indicate:—

- (a) Every payment which appears to be unauthorised by the rules of the Trade Union of contrary to the provisions of the Act.
- (b) the amount of any deficiency or loss which appear to have been incurred by the negligence or misconduct of any person.
- (c) the amount of any sum which ought to have been but is not brought to account by any person.

15. *Audit of Political Funds.*—The audit of the political fund of a registered Trade Union shall be carried out along with the audit of the general account of the Trade Union and by the same auditor or auditors.

16. *Inspection.*—(1) The Register of Trade Unions maintained in accordance with regulations shall be open to inspection by person on payment of a fee of annas eight.

(2) Any document in the possession of the Registrar received from a registered Trade Union may be inspected by any member of that Union on payment of a fee of annas eight or 50 nP. for each document inspected.

(3) Documents shall be open to inspection every day on which the office of the Registrar is open and within such hours as may be fixed for this purpose by the Registrar.

(4) The Registrar may supply a certified copy of any such document to a registered Trade Union or a member thereof on payment of annas twelve or 75 nP. for the first two hundred



words (or less) and annas six or 37 nP. for every additional hundred words or fraction thereof.

By Order of the Governor,  
A. K. ROY,  
Secretary to the Government.

### FORM A

#### APPLICATION FOR REGISTRATION OF UNION

Dated the

day of

19

1. We hereby apply for the registration of a Trade Union under the name of ....
2. The address of the Head Office of the Union is ...
3. The Union came into existence on the day of ....
4. The Union is a Union of employers/workers engaged in the industry (of profession) having membership of ....
5. The particulars required by Sec. 5 (1) (c) of the Indian Trade Unions Act, 1926 are given in Schedule I ....
6. The particulars given in Schedule II show the provisions made in the rules for the matters detailed in Sec. 6 of the Indian Trade Unions Act, 1926 ....
7. (To be struck out in the case of Unions which have not been in existence for one year before the date of application) The particulars required by Sec. 5 (2) of the Indian Trade Unions Act, 1926 are given in Schedule III. ....
8. We have been duly authorised to make this application

Signature

Occupation.

Address

1

2

3

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

<sup>1</sup>State here whether the authority was given by a resolution of a general meeting of the Union, if not, what other way it was given.

#### SCHEDULE I LIST OF OFFICERS

Title	Name	Age	Address	Occupation.
-------	------	-----	---------	-------------

**Note:**—Enter in this Schedule the names of all members of the executive of the Union, showing in column 1 the names of any posts held by them (e. g. President, Secretary, Treasurer etc.) in addition to their offices as members of the executive.

## SCHEDULE II

### REFERENCE TO RULES

The number of the rules making provision for the several matters detailed in column 1 are given in column 2 below:—

Matter 1	Number of rules. 2
Name of Union.	
The whole of the objects for which the union has been established.	
The whole of the purposes for which the general funds of the union shall be applicable.	
The maintenance of list of a members.	
The facilities provided for the inspection of the list of members by officer and members.	
The admission of ordinary members.	
The admission of honorary or temporary members.	
The condition under which members are entitled to benefits assured by the rules.	
The conditions under which fines or forfeitures can be imposed or varied.	
The manner in which the rule shall be amended, varied or rescinded.	
The manner in which the members of executive and the other officers of the union shall be appointed and removed.	
The safe custody of the funds.	
The annual audit of the accounts.	
The facilities for the inspection of the account books by officers and members	
The manner in which the union may be dissolved.	

## FORM B

### REGISTERS OF TRADE UNIONS

Serial No.	Officers.
NAME OF UNION.	
ADDRESS OF HEAD OFFICE.	
DATE OF REGISTRATION.	

Year of entering on office	Name.	Age of entry	Address.	Occupation.	Year of relinquishing office.	Other offices held in addition to membership of executive with dates.
----------------------------	-------	--------------	----------	-------------	-------------------------------	---

Number of application form list of members applying for registration.

- |    |    |
|----|----|
| 1. | 5. |
| 2. | 6. |
| 3. | 7. |
| 4. |    |

### CERTIFICATE OF REGISTRATION OF TRADE UNION

No.... ..

It is hereby certified that the ... .. with its head office at..... has been registered under the Indian Trade Unions Act, 1926, this day of .....195 .

Jaipur,

Registrar of Trade Unions  
Rajasthan

The ..... 195 .

### FORM D

Annual Return prescribed under Sec. 28 of the Indian Trade Unions Act, 1926 for the year ending 31st March, 195 .

Name of Union.

Registered Head Office.

Number of certificate of Registration.

Return to be made by federation of Trade Unions.

- A Number of unions affiliated at beginning of year ?
- B Number of unions joining during year ?
- C Number of unions disaffiliated during year ?
- D Number of unions affiliated at end of year.

This return need not be made by federations of Trade Unions.

Number of members on books at the beginning of year.

Number of members admitted during the year(add) together.

Number of members Who left during the year (deduct)

Total number of members on  
at the end of the year.

Males.

Females.

Number of members contributing  
to Political Fund.

A copy of the rules of the Trade Unions corrected up to the date of  
despatch of this return is appended.

Date the

Secretary.

### FORM D (Contd.)

#### Political Fund Account

	Rs. nP.		Rs. nP.
Balance of beginning of year		Payments made on objects specified in Sec. 16(2) of the Indian Trade Unions Act, 1926 (to be specified).	
Contributions from members at per member....		Expenses of management (to be fully specified)	
		Balance at end of year.	
	Total	Total	
			Treasurer

### AUDITORS DECLARATION

The undersigned, having had access to all the books and accounts of  
the Trade Union, and having examined the foregoing statements and verified  
the same with the account vouchers relating thereto now sign the same as  
found to be correct, duly vouched and in accordance with the law, subject  
to the remarks, if any, appended hereto.

Auditor

Auditor

The following changes of officers have been made during the year.

#### Officers Relinquishing Office

Name	Office	Date of relinquishing Office
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### GENERAL FUND ACCOUNT

Income	Rs. nP.	Expenditure	Rs. nP.
Balance at beginning of year		Salaries, allowances and expenses of Officers	....
Contributions from members at per member		Salaries, allowances and expenses of establishment	....

Donations	....	Auditors' fees	....	....	....
Sale of Periodicals, Rules etc.		Legal expenses	..	....	....
Interest on investments	...	Expenses in conducting trade disputes			
Income from miscellaneous sources (to be specified)		Compensation paid to members for loss arising out of trade disputes	....		
		Funeral, old age, sickness, unemployment benefits, etc.	....	....	
		Educational, social and religious benefits	....	....	....
		Cost of publishing periodicals			....
		Rents, rates and taxes	..	....	
		Stationery, printing and postage			....
		Expenses incurred under section 15(j) of the Indian Trade Unions Act, 1926 (to be specified)	....		....
		Other expenses (to be specified)			
		Balance at the end of the year			...
TOTAL			TOTAL		

## POLITICAL FUND ACCOUNT

	Rs. nP.		Rs. nP.
Balance at beginning of year		Payment made on objects specified in section 16 (2) of the Indian Trade Unions Act, 1926 (to be specified)	...
		Expenses of managements (to be specified)	... ..
		Balance at the end of year	....
TOTAL		TOTAL	

## SCHEDULE III

(This need not be filled in if the Union came into existence less than one year before the date of application for registration)

## Statement of Liabilities and Assets on the day of 195 .

Liabilities	Rs. nP.	Assets	Rs. nP.
Amount of General Fund		Cash:—	
Amount of Political Fund		In hands of Treasurer	
Loan from		In hands of Secretary	
		In hands of	
		In the Bank	
		In the Bank	

Other Liabilities  
(to be specified)

Securities as per list below  
Unpaid Subscription due  
Loans to  
Immovable property  
Goods and furniture  
Other Assets (to be specified)

**TOTAL Liabilities**

**TOTAL Assets**

**LIST OF SECURITIES**

Particulars	Nominal	Market value	In hands of
Signed	1.	4.	
	2.	5.	
	3.	6.	
		7.	

**FORM D**

**Officer Appointed**

Name	Age	Office	Address	Occupation	Date of appointment
1	2	3	4	5	6

Secretary.

**FORM D (Contd.)**

**Officers Appointed**

Name	Date of birth	Private address	Personal occupation	Title of position held in Union	Date on which appointment in column 5 was taken up	Other offices held in addition to membership of executive with date
1	2	3	4	5	6	7

Secretary.

## SCHEDULE III

(This need not be filled in if the Union came into existence less than one year before the date of application for registration)

Statement of Liabilities and Assets on the day of 19 .

Liabilities	Rs. nP.	Assets	Rs. nP.
		Cash:—	
Amount of general Fund .		In hands of Treasurer	
Amount of political Fund....		In hands of Secretary ....	
Loans from ....	....	In hands of ....	....
Other Liabilities (to be specified) ...	....	In the Bank ....	....
		In the Bank ....	....
		Securities as per list below .	
		Unpaid subscription due ....	....
		Loans to ....	....
		Immovable property ....	....
		Goods and furniture ....	....
		Other Assets (to be specified) ...	
TOTAL—Liabilities ....		TOTAL—Assets ....	....

## LIST OF SECURITIES

Particulars	Nominal	Market value	In hands of
Signed 1.		5.	
2.		6.	
3.		7.	
4.			

*Notifications under*

TRADE UNIONS ACT, 1926.

Pub. in Raj. Raj-patra part I (b) dated September 10, 1959 at page 293

*Jaipur, July 23, 1959.*

*No. D. 4933/F. 3(66)/Ind (C)/59.*—In exercise of the powers conferred by clause (b) of sub-section (1) of section 11 of the Indian Trade Unions Act, 1926 (Central Act XVI of 1926), and in supersession of Labour Department Notification No. F. 13 (1)/Lab./53; dated the 17th August, 1953, of the pre-reorganisation Rajasthan State as also corresponding Notifications in force in the Ajmer, Abu and Sunel Areas, the State Government hereby directs that appeals from orders referred to in said sub-section may be preferred in the court of a District Judge in Rajasthan within whose territorial jurisdiction the head office of the Trade Union concerned is situated.



*Notifications under*

**TRADE UNIONS ACT, 1926.**

*Published in Rajasthan Raj-patra Vol. No. 2 part. I at page 14.*

Labour Department.

**NOTIFICATION.**

Jaipur, March 27, 1950.

No. 100/Lab.—In exercise of the powers conferred by section 3 of the Indian Trade Unions Act, 1926, as adapted by the Rajasthan Adaptation of Central Laws Ordinance, 1950, the Government is pleased to appoint the Labour Commissioner, Rajasthan, in virtue of his office, also as Registrar of Trade Unions for Rajasthan.

R. N. DEY,  
Secretary to the  
Government of Rajasthan,  
Labour Department.

*Published in Rajasthan Raj-patra Vol. No. 2 part I at page 379 :*

Labour Department.

**NOTIFICATION.**

Jaipur, August 21, 1950.

No. 2077/Labour.—In pursuance of section 28B of the Indian Trade Unions Act, 1926, of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to appoint for the purposes of Chapter IIIA of the said Act, a Labour Court at Kotah, consisting of the District judge, Kotah, which will exercise jurisdiction in the whole of Kotah Division:

By Order of His Highness the  
Raj Pramukh,  
R. N. DEY,  
Secretary to the  
Government of Rajasthan,  
Labour Department.

*Published in Raj. Raj-patra Dated August 29, 1953 part I (a) at page 648 :*

Labour Department.

**NOTIFICATION.**

Jaipur, August 17, 1953.

No. F. 13 (1) Lab./53.—In exercise of the powers conferred by Clause (b) of sub-section (1) of section 11 of the Indian Trade Union's Act, 1926 (Central Act No. XVI of 1926) the Government of Rajasthan is pleased to order that appeals may be preferred from orders referred to in the said sub-section in the Court of a District and Sessions Judge in Rajasthan within whose territorial jurisdiction the head office of the Trade Union concerned is situated.

*Published in Raj. Raj-patra Dated May 23, 1957 part IV (c) at page 61 :*

Jaipur, April 29, 1957.

No. F. 1 (12) Lab./57/ 2856.—In exercise of the powers conferred by section 3 of the Indian Trade Union Act, 1926 (Central Act XVI of 1926), the State Government hereby appoints the Assistant Labour Commissioner, Rajasthan (Administration and Labour Laws), by virtue of his office to be the Register of Trade Unions, whose objects are confined to the State of Rajasthan. This supersedes all previous notification on the subject in force in any part of Rajasthan.

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*Rules and Notifications under*

TRANSFER OF PROPERTY ACT, 1882.

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*Notifications under,*

**TRANSFER OF PROPERTY ACT, 1882.**

*Published in Raj. Raj-patra Dated June 18, 1952.*

**JUDICIAL DEPARTMENT.**

**NOTIFICATION.**

**Jaipur, June 18, 1952.**

No. F. 12 (1) Jud./52.—In exercise of the power conferred by section I of the Transfer of Property Act, 1882 (No IV of 1882), the Government of Rajasthan is pleased to direct that the said Act, shall extend to the whole of Rajasthan with effect from the first day of July, 1952.

By order of  
His Highness the Rajpramukh,  
**SHARDOOL SINGH MEHTA,**  
Secretary to the Government.

*Notifications under*

**Transfer of Property Act, 1882.**

*Published in Raj. Raj-patra part I (b) dated June 21, 1962 at page 29*

Judicial Department

**NOTIFICATION**

*Jaipur, May 28, 1962.*

No. F. 7 (1) Jud/62.—In exercise of the power conferred by clause (f) of section 58 of the Transfer Property Act, 1882 (Central Act 4 of 1882), the State Government hereby specifies the following cities and towns in the State of Rajasthan, namely, Ajmer, Alwar, Bhilwara, Bikaner, Ganganagar, Jaipur, Jodhpur, Kota, Pali and Udaipur where a person may enter into the transaction of a mortgage or deposit of title deeds.

By Order of the Governor,  
LEHAR SINGH MEHTA,  
Secretary to the Government.

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*Rules and Notifications under*

TREASURE TROVE ACT, 1878.  
( CENTRAL ACT No. 6 OF 1878 ).

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# THE RAJASTHAN TREASURE TROVE RULES, 1957.

HOME (D) DEPARTMENT

## NOTIFICATION

Jaipur, March 7, 1957-

No. F. 26 (1). Treas. Trov. Home II/53—In exercise of the powers conferred by section 19 of the Treasure Trove Act 1878 (Central Act VI of 1878) as adapted to the pre-Reorganisation State of Rajasthan and of that Act as in force in the Ajmer area and the Abu area, and in supersession of the existing rules on the subject in force in any area of the State except the Sunel area the State Government hereby makes the following rules, namely:—

### Notes.

Section 19 of the Treasure Trove Act, 1878 authorises the State Government to make rules for regulating the proceedings under the Act. These rules have, therefore, been framed in compliance of section 19 of the Act.

1. *Short title and extent*—(1) These rules may be called the Rajasthan Treasure Trove Rules, 1957.

(2) They extend to the whole of the State of Rajasthan except the Sunel area.

2. *Definitions*—In these rules, unless the context otherwise requires:—

(a) "Act" means the Treasure Trove Act, 1878 (Central Act VI of 1878) as adapted to the pre-Reorganisation State of Rajasthan, or that Act as in force in the Ajmer area or the Abu area, as the case may be,

(b) "Form" means a Form appended to these rules; and

(c) "Section" means a section of the Act.

3. *Notification under section 5 (a)*—(1) The notification required by clause (a) of section 5 shall be in Form No. 1.

(2) The notification shall, along with a Hindi translation thereof, be published by posting up copies thereof at the office of the Collector, at the Tehsil office, in the village where the treasure was found (if the Collector so orders) and in such other places, if any, as the Collector may think proper. The substance of the notification should also be made public by beat of drum in the place where such treasure was found, or in some adjoining market town.

4. *Notice under section 5 (b)*—(1) The notice to the person in possession of the land or thing in which the treasure was found, required to be served on such person under clause (b) of section 5, shall be in the same form as Form A and shall, in addition, contain the following order at the end:—

"And whereas the place where the said treasure was found by the said (name of the finder) is believed to have been at the date of the said finding in your possession, your attendance

at the enquiry is specially required, failing which your right to a share of the treasure will be forfeited, as provided in the Act."

(2) The notice shall be in English and shall be accompanied by a Hindi translation thereof, and shall be served in the manner provided by the Code of Civil Procedure, 1908 (Central Act V of 1908), for the service of a summons.

#### Notes.

Rules 3 and 4 are meant to put into effect the requirements of section 5 of the Act which reads as under:—

On receiving a notice under section 4, the Collector shall, after making such enquiry (if any) as he thinks fit take the following steps (namely) :

(a) he shall publish a notification in such manner as the State Government from time to time prescribes in this behalf, to the effect that, on a certain date (mentioning it) certain treasure (mentioning its nature, amount and approximate value) was found in a certain place (mentioning it); and requiring all persons claiming the treasure, or any part thereof, to appear personally or by agent before the Collector on a day and at a place therein mentioned, such day not being earlier than four months, or later than six months, after the date of the publication of such notification ;

(b) when the place in which the treasure appears to the Collector to have been found was at the date of the finding in the possession of some person other than the finder, the Collector shall also serve on such person a special notice in writing to the same effect.

5. *Procedure where treasure consists of sculptures*—(1) When the treasure found consists of sculptures, or other articles of antiquarian interest whatsoever, the Collector shall before delivering or dividing the treasure under section 11 or 12, report the same for information of the State Government, with a view to obtaining instructions as to whether the treasure is to be acquired on behalf of the Government in the manner prescribed in section 16.

(2) The report under sub-rule (1) shall state—

- (a) the name of the finder;
- (b) the nature of the treasure;
- (c) the approximate value of the treasure;
- (d) the date of the finding of the treasure; and
- (e) the origin, surroundings, exact position, direction and exact nature of the find.

(3) A copy of the report shall be sent by the Collector to the Chief Superintendent of Archaeology, Rajasthan, Jaipur, and where the treasure consists of ancient coins, a specimen of each variety of coins shall also be sent to the Chief Superintendent, if practicable.

(4) The Chief Superintendent of Archaeology, Rajasthan, Jaipur, shall, on receipt of the copy of the report—

(a) arrange for an inspection of the treasure either by himself or by a deputy, whenever it appears to him, from the report in question, that such inspection is desirable.

(b) make or have made as soon as possible a rough drawing of the position of the things found; and

(a) advise Government without delay as to the desirability of acquiring the treasure under section 16 in the event of ultimate declaration by the Collector under section 9.

(5) If Government decide to acquire such treasure, whether on the report of the Chief Superintendent of Archaeology, Rajasthan, Jaipur or otherwise, Government shall so inform the Collector, who after making the said declaration and complying with the provisions of section 16 shall as soon as possible, forward the treasure so acquired either to the Jaipur Museum or to any other centre which Government may direct.

#### Notes.

Section 9 of the Act requires the Collector to declare after inquiry the treasure to be ownerless. After such declaration the Collector is required to act under sections 11, 12 and 16 of the Act.

11. When a declaration has been made in respect of any treasure as aforesaid, and no person other than the finder of such treasure has appeared as required by the notification published under section 5 and claimed a share of the treasure as owner of the place in which it has been found, the Collector shall deliver such treasure to the finder thereof.

12. When a declaration has been made as aforesaid in respect of any treasure, and only one person other than the finder of such treasure has so appeared and claimed, and the claim of such person is not disputed by the finder, the Collector shall proceed to divide the treasure between the finder and the person so claiming according to the following rule (namely) :

If the finder and the person so claiming have not entered into any agreement then in force as to the disposal of the treasure three-fourths of the treasure shall be allotted to such finder and the residue to such person. If such finder and such person have entered into any such agreement, the treasure shall be disposed of in accordance therewith :

Provided that the Collector may, in any case, if he thinks fit, instead of dividing any treasure as directed by this section:—

(a) allot to either party the whole or more than his share of his treasure, on such party paying to the Collector for the other party such sum of money as the Collector may fix as the equivalent of the share of such other, or of the excess so allotted, as the case may be; or

(b) sell such treasure or any portion thereof by public auction and divide the sale proceeds between the parties according to the rule hereinbefore prescribed :

Provided also that, when the Collector has by his declaration under section 9 rejected any claim made under this Act by any person other than the said finder or person claiming as owner of the place in which the treasure was found, such division shall not be made until after the expiration of two months without an appeal having been presented under section 9 by the person whose claim has been so rejected or when an appeal has been so presented, after such appeal has been dismissed.

When the Collector has made a division under this section, he shall deliver to the parties the portions of such treasure, or the money in lieu thereof, to which they are respectively entitled under such division.

16. The Collector may, at any time after making a declaration under section 9, and before delivering or dividing the treasure as hereinbefore provided, declare by writing under his hand his intention to acquire on behalf of the Government the treasure, or any specified portion thereof, by payment to the persons entitled thereto of a sum equal to the value of the materials of such treasure or portion, together with one-fifth of such value, and may place such sum in deposit in his treasury to the credit of such persons; and thereupon such treasure or portion shall be deemed



to be the property of Government, and the money so deposited shall be dealt with, as far as may be, as if it were such treasure or portion.

Rule 5 prescribes procedure in this regard.

FORM No. 1.

[ See rule 3 (1) ]

Notification under section 5 of the Treasure Trove Act, 1878 (Central Act VI of 1878) as adapted to the pre-Reorganisation State of Rajasthan and that Act as in force in the Ajmer area and the Abu area.

Whereas on the..... day of..... treasure of the following description and value..... was found by ..... in ..... all persons claiming the said treasure or any part thereof are hereby required to appear personally or by agent before the Collector of ... on the.... day of ... at ..... P.M. at the office of the Collector; (another place may be entered, if necessary) in order that enquiry may be made concerning, and orders may be passed as to the disposal of, the said treasure in pursuance to the provisions of the said Act.

*Signature of Collector*

Date .. .. .

By order of the Governor,  
SAMPAT MAL BHANDARI,  
Secretary to the Government.

# RAJ. TREASURE TROVE RULES, 1961

Home 'A' Department

## NOTIFICATION

Jaipur, May 20, 1961.

No. F. 19 (2) Home (A-Gr. II)/60.—In exercise of the powers conferred by section 19 of the Indian Treasure Trove Act, 1878 (VI of 1878), and in supersession of all previous rules on the subject, the Governor is pleased to make the following rules, namely:—

1. These rules may be called the "Rajasthan Treasure Trove Rules, 1961".

### Notes.

Rajasthan Treasure Trove Rules, 1957 framed vide Home (Department Notification No. F. 26 (i) Treas. Trov. Home II/53 dated March 7, 1957 and published in Rajasthan Raj-patra, part IV (c) dated March 28, 1957 Stand Superseded.

2. *Definitions.*—In these rules, unless the context otherwise requires—

(a) 'Act' means the Indian Treasure Trove Act, 1878 (VI of 1878),

(b) "Section" means a section of the Act.

(c) "Superintendent" means the Superintendent, Department of Archaeology, Government of India, within whose jurisdiction the treasure has been found.

(d) "Government" means the Government of Rajasthan.

(e) 'Treasure Trove Officer' in the State means the Director of Archaeology and Museums, Rajasthan.

3. *Collector's Report.*—On receipt of any notice under section 4, or on receipt of information from any person other than the finder, that a treasure has been found, the Collector shall report the fact to the Government, the Superintendent and the Treasure Trove Officer stating as far as the information at his disposal permits:—

(a) the name of the finder:

(b) the nature and details of the treasure.

(c) the approximate value of the treasure.

(d) the date of the finding of the treasure.

(e) the origin and surroundings of the treasure.

4. *Publication of Notification.*—Every notification under section 5 (a) shall be published at the local police station, at the office of the Collector of the District or equivalent officer within whose jurisdiction the treasure was found, and also at some conspicuous spot in the village in which it was found.

5. *Report of the Treasure Trove Officer and Superintendent.*—Within 60 days of the receipt of such information from the Collector, the Treasure Officer and the Superintendent shall arrange for inspection of the treasure and shall submit their report, individually or jointly to the Collector whether the treasure or any part thereof should be acquired by the Government.

6. *Acquisition of Treasure.*—(i) The Collector shall, before acquiring or making a declaration under section 16 of his intention to acquire on behalf of the Government any treasure or any part thereof, obtain the orders of the Government.

(ii) If the Government decides to acquire such treasure, or any part thereof, whether on the report of the Treasure Trove Officer and Superintendent or otherwise, the Government shall accordingly inform the Collector, who after making the declaration under section 9 and complying with the provisions of section 16, shall, as soon as possible forward the treasure or any part thereof so acquired either to the Treasure Trove Officer or any other centre which the Government may specify in this behalf.

7. *Distribution of Treasure.*—The Treasure Trove Officer, in the event of the Government deciding to acquire the treasure or any part thereof, shall recommend to Government its distribution among the Museums and Institutions in the following order of priorities:—

(a) Principal Museum of the State in which the Treasure Trove is found and the National Museum. In recommending allocations to the State Museum, the Treasure Trove Officer shall take into consideration that the objects to be given to the State or regional interest and those to be given to the National Museum are of national importance;

(b) other museums in the State managed by the Government or other public authorities, including Universities in the State;

(c) principal State Museums of other States and the Indian Museum, Calcutta.

(d) other museums of other States maintained by the State Government or other public authorities including Universities.

(e) other Museums.

8. *Sale.*—The Government, after assessing the needs of the Museums and institutions mentioned in paragraph 7 may, in consultation with the Treasure Trove Officer and the Superintendent, place a part of the treasure required under rule 6 (ii) or otherwise for sale to the public after notifying the proposed sale in such manner as it may deem fit.

9. *Price.*—The price of the finds notified for sale shall be fixed by the Government after consulting the Treasure Trove Officer and the Superintendent and shall be specified against each item in the notification of the proposed sale and the amount realised by such sale shall be credited to the receipts of the Government.

10. *Returns.*—The Treasure Trove Officer shall send a consolidated report of the treasure found during the financial year to the Government of India in the Ministry of Education. This report shall include a brief summary of the results of examination of Treasure Trove finds during the year under review, and shall also include their classification by their material and roughly by the class to which they belong. The report shall also give a short account of any notable Treasure Trove finds and their distribution during the year.

By Order of the Governor,  
Z. S. JHALA,  
Secretary to Government.

# Rajasthan Treasure Trove Rules, 1961

Home (A) Department

Jaipur, April 20, 1966

*Notification No. F. 19 (2) Home (A-Gr. II) 60*.—In exercise of the powers conferred by section 19 of the India Treasure Trove Act, 1878 (Central Act VI of 1878), the State Government hereby makes the following amendments to the Rajasthan Treasure Trove Rules, 1961, namely:

## AMENDMENT

In the said Rules,—

1. in rule 1, the heading “Title—” shall be added after the figure “1”.

2. in rule 3, of the words “or on receipt of information from any person other than the finder,” occurring in the second line shall be deleted.

3. in rule 4, after the words “published at” the words “headquarters of the Panchayats,” shall be inserted.

4. in rule 8 for the word “paragraph” the word “rule” shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga.) dated 25-8-66 Page 284]

*Notifications under,*

## **TREASURE TROVE ACT, 1878.**

*Published in Raj. Raj-patra Dated May 2, 1957 part IV (c) at page 33 :*

Home (D) Department

### **NOTIFICATIONS**

Jaipur, April 6, 1957.

No. F. 8 (1) HD/56/16557.—In exercise of the powers conferred by section 3 of the Indian Treasure Trove Act, 1878 (VI of 1878), the State Government is pleased to hereby appoint all the Additional Collectors to perform within their respective jurisdiction the functions of a Collector under the said Act.

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*Rules and Notifications under*  
TRIBES ADVISORY COUNCIL RULES.

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# THE RAJASTHAN TRIBES ADVISORY COUNCIL RULES, 1952.

General Administration Department.

## NOTIFICATIONS.

Jaipur, September 12, 1952.

No. F. 22 (A-7) G.A. (B)/52.—In pursuance of paragraph of the Fifth Schedule to the Constitution of India, His Highness the Rajpramukh of the State of Rajasthan is pleased to establish a Tribes Advisory Council for Rajasthan and to make the following rules in relation thereto:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Tribes Advisory Council Rules, 1952.

(2) They shall come into force on the date of their first publication in the Rajasthan Gazette.

2. *Interpretation.*—(1) In these rules, unless the context otherwise requires,—

(a) "Assembly" means the Rajasthan Legislative Assembly formed under the Constitution;

(b) "Constitution" means the Constitution of India;

(c) "Council" means the Tribes Advisory Council for Rajasthan established in pursuance of paragraph 4 of the Fifth Schedule to the Constitution;

(d) "Scheduled areas" means such areas within Rajasthan as are, for the time being, declared by the President of India to be Scheduled areas under sub-paragraph (1) of paragraph 6 of the Fifth Schedule to the Constitution; and

(e) "Scheduled tribes" means the tribes or tribal communities specified as scheduled tribes in relation to Rajasthan in the Constitution (Scheduled Tribes) Order made by the President of India under clause (1) of article 342 of the Constitution.

(2) Unless the context otherwise requires, the provisions of the General Clauses Act 1897 (X of 1897) shall apply for the interpretation of these rules as they apply for the interpretation of a Central Act.

3. *Composition of Council.*—(1) The Tribes Advisory Council established for the administration and control of scheduled areas in Rajasthan and of scheduled tribes thereof shall consist of a Chairman and eighteen members.

(2) The Minister for the time being in charge of the Social Welfare Department of Government shall be ex-officio Chairman and member of the Council. The Dy. Minister Social Welfare Department shall be Ex Officio Vice Chairman and member of the Council. In absence of the Chairman, the Vice Chairman will preside over the meeting".

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*These rules have been first published in Rajasthan Raj-patra dated September 20, 1952 part IV (b) at page 297.*

(3) Of the eighteen other members of the Council, fourteen shall be the representatives of the Scheduled tribes in the Assembly as nominated by the State Government.

(4) The remaining four members of the Council shall be such persons, not being members of the Scheduled tribes, as are found to be taking keen interest in the welfare of such tribes in Rajasthan.

(5) The Director of Social Welfare for Rajasthan shall be ex-officio Secretary of the Council.

4. *Appointment of members of Council*—(1) The members of the Council shall be appointed by the State Government.

(4) The four members of the Council referred to in sub-rule (4) of rule 3 shall be appointed by nomination.

(5) All appointments made under this rule shall be notified in the Rajasthan Gazette.

5. *Term of office of members*.—(1) Every representative of the Scheduled Tribes in the Assembly, appointed as a member of the Council shall hold office as such members so long as he is a member of the Assembly as such representative.

(2) Every other member of the Council shall hold office for a period of two years from the date of his appointment as such member.

6. *Vacation of seats and filling of vacancies*.—(1) A member shall vacate his seat on the Council upon the expiry of his term of office or earlier upon death, physical or mental incapacity resignation or removal for some cause sufficient in the opinion of the State Government to justify such removal.

(2) Any vacancy occurring in the Council under sub-rule (1) shall be filled up, as soon as may be, by the State Government in accordance with rules 3 and 4; and the member who has vacated his seat by reason of the expiry of his term of office will be eligible for re-appointment if he is otherwise competent therefor under these rules.

7. (1) *Remuneration to members*.—No member of the Council shall be entitled to get any remuneration for or in respect of any work done by him as such member.

“Provided that every member of the Council shall be entitled to receive travelling allowance (including daily allowance) for journeys connected with the affairs of the Council at such rates as may be fixed by the State Government”.

“Rule No. 7 (2)

The members of the Tribes Advisory Council constituted by the Government of Rajasthan will be entitled to T.A. and D. A. at the following rates for journeys connected with the affairs of the Council:—

A. *Non-official members*:—

(1) Members, who are also members of the Legislature will be given the same T.A., as Officers of Class I so far as rail and road mileage is concerned.



- (2) Other members will be given T.A. at  $1\frac{1}{2}$  I Class fare from and to the usual place of their residence.

Note:—Where concession fares for return journeys are allowed by the Railway, T.A. will be limited to the actual cost of the return ticket plus one half of the ordinary fare each way.

- (3) D.A. to all members Rs. 7/8/-.

Note:—All those who will come from within a radius of 5 miles 'conveyance charges' (not daily allowance) will be given at Rs. 3/- per day.

- (4) Travelling allowance will not be admissible to servants accompanying the members.

- (5) Journeys by car between places connected by rail will not be permissible and if a member travels by car, T.A. will be restricted to what would be admissible for a journey by rail.

- (6) For road journeys the rate of mileage would be five annas per mile.

*B. Official members:—*

They will be governed by rules or rates applicable to them."

8. *Functions of the Council.*—In addition to the duty imposed on it by the provisions contained in part B of the Fifth Schedule to the Constitution, the Council shall—

- (i) give constructive suggestions to the State Government for the social, educational and economic advancement of the Scheduled Tribes;
- (ii) aid in the removal of harmful social customs prevailing among them;
- (iii) carry on educational propaganda, as far as possible; and
- (iv) bring the needs and grievances of the Scheduled Tribes to the notice of the State Government and local officers of Government.

9. *Meetings and transaction of business thereat.*—(1) The Council shall ordinarily meet once in every quarter on such date and at such time and place as the Chairman may fix. Extraordinary meetings of the Council may be convened by the Chairman whenever circumstances so demand.

(2) ten days' notice of every meeting, whether ordinary or extraordinary, shall be given to the members of the Council. It shall specify the date, time and place fixed for such meeting and the agenda of business to be transacted thereat.

(3) The Council or its Chairman may require any officer of Government to be present at any of its meetings to advise the Council on technical matters relating to the Scheduled tribes which may be on the agenda for that meeting.

(4) The presence of seven members including the Chairman of the Council shall form the quorum requisite for the transaction of its business:

Provided that in an adjourned meeting all business postponed for want of quorum at the original meeting may be transacted if not less than three members including the Chairman attend such meeting.

(5) At every meeting of the Council the Chairman will preside but, if he is unavoidably absent from any such meeting, any other member then present may be selected to preside at such meeting.

(6) All matters coming up for determination before a meeting of the Council shall be decided in accordance with the majority of the votes of the members (including the Chairman) present at such meeting and voting. In case of an equality of votes, the Chairman or the member presiding, as the case may be, shall have a second or casting vote.

(7) The Council may, with the approval of the State Government, frame bye-laws, not inconsistent with these rules, regulating the transaction of its business.

- By Order,  
S. W. SHIVESHWARKAR,  
Chief Secretary to the Government.

## HISTORY OF AMENDMENTS

Serial No.		Notification number		Date	Gazette Reference.		AMENDMENTS.	
1.		2.		3.	4.		5.	
1.	No. I-D 71/F. 10 (8) (I) Plan B/57.			14/3/58.	29/5/58 Part IV (a).		In rule 3(1) word "eighteen" substituted for word "eleven."	
2.	--Do--			--Do--	--Do--		In rule 3(2) word "social" substituted for the word "Backward Classes" and the sentences appearing after the word "Council" newly added.	
3.	--Do--			--Do--	--Do--		In rule 3(3) for the words "eleven" and "eight" words "eighteen" and "fourteen" substituted respectively and the words "as nominated by the State Government added after the word "Assembly"	
4.	--Do--			--Do--	--Do--		In rule 3(4) word "four" substituted for the word "three."	
5.	--Do--			--Do--	--Do--		In rule 3 [5] for the word "Backward Classes" word "Social" substituted.	
6.	--Do--			--Do--	--Do--		In rule 4 sub-clauses [2] and [3] deleted and in clause [4] word 'four' substituted in place of the word 'three'	
7.	--Do--			--Do--	--Do--		Rule 7 renumbered as rule 7[1] and sub-rule [2] of rule 7 newly added.	
8.	--Do--			--Do--	--Do--		In rule 9[2] word "ten" substituted for the word "fifteen."	
9.	--Do--			--Do--	--Do--		In rule 9[4] word 'seven' substituted for the word 'six'.	
10.	F. 22(A-7) G.A. (B)/52			9/9/53	10/10/53 Part I		In rule 7[1] the words or any compensatory or other allowance "as appeared previously between the word "remuneration" and the word "for" deleted and the present proviso newly added.	

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*Rules and Notifications under*

UNIVERSITY OF RAJPUTANA (CHANGE OF NAME)  
ACT, 1951 ( RAJ. ACT No. 13 OF 1951 ).

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*Notifications under,*

RAJASTHAN UNIVERSITY OF RAJPUTANA ( CHANGE OF  
NAME ) ACT, 1956.

*Published in Raj. Raj-patra Dated March 28, 1957 part IV (c) at page 898 :*

NOTIFICATION.

Jaipur, February 21, 1957.

No. F. 1 (1) Edu./B/52.—In pursuance of sub-section (2), of section 1 of the University of Rajputana (change of name) Act, 1956 (Rajasthan Act 46 of 1956) the State Government hereby appoints the 1st day of July, 1957, to be the date on which the said Act shall come into force.

By Order of the Governor,  
S. P. SINGH BHANDARI,  
Secretary to the Government.

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*Rules and Notifications under*

UNIVERSITY OF RAJASTHAN (AMENDMENT) ACT, 1962.  
( RAJ. ACT No. 19 OF 1962 ).

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*Notifications under*

**University of Rajasthan (Amendment) Act, 1962**

*Published in Raj. Raj-patra part IV (c) dated November 12, 1962 at page 425 :*

Education Department Cell-1

**NOTIFICATION**

*Jaipur, November 12, 1962.*

*No. F. 6 (155) Edu. Cell-1/62.*—In exercise of the powers conferred by sub-section (2) of Section 1 of the University of Rajasthan (Amendment) Act, 1962, ( Rajasthan Act 19 of 1962 ) the State Government hereby appoints the twelfth day of November, 1962, as the date on which the said Act shall come into force.

By Order of the Governor  
**VISHNU DUTTA SHARMA**  
Secretary to the Government

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*Rules and Notifications under*

RAJ. URBAN IMPROVEMENT ACT, 1959.  
( RAJ. ACT, No. 35 OF 1959 ).

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# Rajasthan Improvement Trust Rules, 1961

Local Self-Government Department

## NOTIFICATION

*Jaipur, May 15, 1961.*

No. F.4 (32) LSG/A/59.—In exercise of the powers conferred by clauses (a), (d) and (f) of sub-section (1) of section 74 of the Rajasthan Urban Improvement Act 1959 (Act No. 35 of 1959), the State Government hereby makes the following rules, the same having been previously published as required by sub-section (2) of the said section in the Rajasthan Gazettee, Part III-B, Extraordinary, dated the 9th March, 1961, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Improvement Trust Rules, 1961.

(2) They shall come into force upon their publication in the Official Gazettee.

2. *Definitions.*—(1) "Act" means the Rajasthan Urban Improvement Act, 1959 (Act No 35 of 1959).

(2) "Trust," means an improvement Trust constituted under section 8 of the Act

(3) "Trust Fund" means the Improvement Fund constituted under section 61 of the Act.

3. *Authority on which money may be paid from the Trust Fund.*—(1) No money shall be paid from the Trust Fund unless it has been authorised in writing by the Chairman.

(2) Payments exceeding Rs. 20/- shall be made by cheque and not in cash.

(3) All cheques shall be signed by the Chairman or by an Officer of the Trust authorised by the Chairman in this behalf.

4. *Channel of correspondence.*—All correspondence between the Trust and the State Government or Officers thereof shall be under the signatures of the Chairman.

5. *Contracts.*—(1) The Chairman may, on behalf of the Trust enter into any contract the value whereof does not exceed five thousand rupees and every such contract or agreement shall be reported to the Trust at the next meeting thereof. He may also enter into any other contracts after previous approval of the Trust.

(2) Every contract or agreement by or on behalf of the Trust shall be in the name of the Trust and shall be signed by the Chairman on behalf of the Trust and sealed with the common seal of the Trust as hereinafter provided.

(3) The common seal of the Trust shall not be affixed to any contract or other instrument, except in the presence of the Chairman, who shall place his signatures to the contract or instrument in token of having sealed the said document in his presence.

(4) No contract shall be binding on the Trust unless it is executed and sealed in the manner referred to above.

By Order of the Governor,  
S. D. UJJWAL,  
Secretary to the Government.

# Rajasthan Urban Improvement Trust

## (General) Rules, 1962

*Jaipur, April 2, 1962.*

No. F. 4 (32) LSG/1/59.—In exercise of the powers conferred by sub-section (1) of section 74 of the Rajasthan Urban Improvement Act, 1959 (Rajasthan Act 35 of 1959), the State Government hereby makes the following Rules, namely:—

1. *Short title and commencement.*—(1) These rules may be called “The Rajasthan Urban Improvement Trust (General) Rules, 1962.”

(2) These rules shall come into force upon their publication in the official Gazette.

2. *Definitions.*—In these rules, unless the subject or context otherwise require:—

(1) ‘Act’ means The Rajasthan Urban Improvement Act, 1959 (Act No 35 of 1959).

(2) ‘Trust’ means a Trust and constituted under the Act.

(3) ‘section’ means a section of the Act.

(4) Words and expressions used but not defined shall have the meanings assigned to them in the Act.

3. *Manner of publication of draft Master Plan and the contents thereof under section 5 (1).*—(1) The draft Master Plan shall be published by making a copy thereof available for inspection at the office of the Trust concerned and publishing a notice in form No. 1 in the official Gazette and in at least two of the popular daily news papers.

(2) The notice referred to in sub-rule (1) together with a copy of the draft Master Plan shall be sent by the authorities to each of the Local Body i.e. Panchayat, Zila Parishad or Panchayat Samiti or Municipal Board, operating in the area included in the Master Plan.

(3) The Master Plan shall ordinarily consist of the following maps and documents:—

I. Basic map (showing the land use with existing and proposed).

II. Town map (showing the layout of street and buildings).

III. Comprehensive development map (showing the areas to be developed as a whole).

IV. Programme map (Showing the stages in which the improvements are to be carried).

V. Written analysis and written statement (to support the proposal in the light of investigation).

VI. And such other maps or matter which the officer or the authority deems fit or the State Government may direct the officer or the authority.

4. *Approval of Master Plan by the State Government under section 6.*—(1) On receipt of the draft Master Plan under sub-section (1) of section 6, the State Government shall publish the same by making a copy thereof available for inspection at the office of the Trust concerned and by publishing a notice in Form II in the official Gazette inviting objections and suggestions from every person with respect to the draft Master Plan within a period of 30 days from the date of publication of the notice referred to above.

(2) After considering all objections and suggestions and representations which have been received, the State Government may approve the Master Plan without modification or with such modification as it may consider necessary or reject it with direction for the preparation of a fresh Master Plan.

(3) When a Master Plan has been approved by the State Government it shall be published in the official Gazette a notice stating that the Master Plan has been approved and naming a place where a copy of the same may be inspected during office hours-

(4) *Appointment of staff under section 25.*—The power of appointing and granting leave to officers and servants of the Trust and consuring, reducing, suspending or dismissing them for misconduct, shall be vested in the case of officers and servants drawing monthly salary of Rs. 250/- or less in the Chairman, and in the other cases in the Trust.

(5) *Publication of Notice for schemes under section 33.*—When a scheme has been framed, the Trust shall publish a notice in two daily local newspapers or if the number of the daily local newspapers is less than two, in two daily newspapers usually read in the area and by affixing the said notice on the notice board of the Collectorate, Municipality and the Trust concerned inviting objections and suggestions from all persons with respect to the draft scheme within a period of sixty days from the date of publication of the notice referred to above.

(6) *Furnishing of copies or extracts from assesment book of a local body.*—The Chairman of the Municipal Board shall furnish to the Chairman of the Trust at his request with a copy of or extracts

from the assessment list on payment of fees as are levied for granting of copies for similar municipal records.

By Order of the Governor,  
P. N. SETH,  
Deputy Secretary to the Government.

FORM I  
( See rule 3 )  
NOTICE

In pursuance of sub-section (1) of section 5 of the Rajasthan Urban Improvement Act, 1959 read with rule 3 of the Rajasthan Urban Improvement Trust (General) Rules, 1962, notice is hereby given that the draft of the Master Plan has been prepared in respect of the following areas:—

any person may submit objections and suggestions with respect of the said draft Master Plan within a period of 30 days from the date of publication of this notice in the official Gazette to the undersigned.

Secretary, Urban Improvement Trust.

FORM II  
( See rule 4 )  
NOTICE

In pursuance of sub-section (1) of section 6 of the Rajasthan Urban Improvement Act, 1959 read with rule 4 of the Rajasthan Urban Improvement Trust (General) Rules, 1962, notice is hereby given that the Master Plan prepared in respect of the following areas is under consideration of the State Government for according approval under the aforesaid provision.

Any person may submit objections and suggestions in respect of the said Master Plan within a period of 30 days from the date of the publication of this notice in the official Gazette.

Secretary to the Government.

# RAJ. IMPROVEMENT TRUST (OATH OF OFFICE) RULES, 1964

Town Planning Department

Jaipur, November 6, 1964.

Notification No. F. 7/3/T.P./64.—In exercise of the powers conferred by clause (4) of sub-section (1) of section 74, 75 of the Rajasthan Urban Improvement Act, 1959 (Rajasthan Act 35 of 1959), the State Government hereby makes the following rules, the same having been previously published in the Rajasthan Gazette Part III-(B) dated the 13th April 1964 as required by sub-section, (2) of section 74 of the said Act.

1. Short title and commencement—(1) These rules maybe called the Rajasthan Improvement Trust (Oath of Office) Rules, 1964.

(2) These rules shall come into force upon their pulication in the Official Gazette.

2. Definitions:—In these rules unless the subject or context otherwise requires:—

(1) 'Act' means the Rajasthan Urban Improvement Act, 1959 (Rajasthan Act 35. of 1959);

(2) 'Member' means a member appointed under section 9 of the Act.

3. Oath of Office:—(1) Every member shall, before entering upon his duties as such make and subscribe before the Collector or his nominee for the purpose, an oath or affirmation in the Form given in the Schedule.

(2) Where a member has entered upon his duties as such before the commencement of these rules, he shall make and subscribe the oath or affirmation in the aforesaid Form, before the Collector or his nominee, within fifteen days from the date of publication of these rules in the Official Gazette.

(3) Where the Collector or any other Government Officer is a member, he need not make and subscribe any oath or affirmation prescribed under sub-rule [1].

## SCHEDULE

(See rule 3)

## FORM OF OATH

"I .. .....having become a member of Urban Improvement Trust..... swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by Law established and that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter."

# **RAJ.URBAN IMPROVMENT (GENERAL) RULES, 1964**

**Town Planning Department**

**Jaipur, November 6, 1964.**

**Notification No. F. 7 (9) T. P./64:—**In exercise of the powers conferred by section 74 read with sub-section (2) of section 53 of the Rajasthan Urban Improvement Act, 1959 (Rajasthan Act No. 35 of 1959), the State Government hereby makes the following rules, the same having been previously published as required by sub-section (2) of the said section 74 in the Rajasthan Gazette, Part III (B) Extraordinary dated 29th June, 1964:—

**1. Short title, extent and commencement:—**These rules may be called the Rajasthan Urban Improvement (General) Rules, 1964.

**(2)** They shall come into force on their publication in the Official Gazette.

**2. Defination:—**In these rules, unless the context other wise requires:—

**(a)** 'Act' means the Rajasthan Urban Improvment Act, 1959 (Rajasthan Act 35 of 1959); and

**(b)** 'Section' means a Section of the Act.

**3. Time limit for disposal of cases referred to Collector.—**The Collector shall dispose of every case referred to him under sub-section (4) of section 53 for the determination of compensation as expeditiously as possible and in any case within a period of one year.

**[Pub. in Raj.Gaz.4 (Ga)—Dt. 14-1-65—Page 766]**

# **RAJ. URBAN IMPROVEMENT TRUST RULES, 1961**

## **TOWN PLANNING DEPARTMENT**

Jaipur, October 5, 1964.

Notification No. F. 4 (32) LSG/59.—In exercise of the powers conferred by sub-section (i) of section 74 of the Rajasthan Urban Improvement Act, 1959 (Rajasthan Act 35 of 1959); the State Government hereby makes the following Rules, namely:—

### **CHAPTER 1**

#### **Preliminary**

1. Short title and commencement.—( i ) These rules may be called the Rajasthan Urban Improvement Trust Rules, 1961.

(ii) They shall come into force from the date of their publication in the Official Gazette.

2. Definition.—In these rules, unless there is something repugnant in the subject or context:—

(a) 'Act' means the Rajasthan Urban Improvement Act, 1959 (Act 35 of 1959).

(b) 'Treasury' means a Government treasury or sub-treasury or a bank to which the Government treasury business has been made over.

(c) 'Competent Authority' means trust or such other authorities to whom powers in this regard may be delegated by him.

(d) 'Section' means a section of Act.

(e) 'Chairman' means the Chairman of the Urban Improvement Trust established under section 8.

3. Whenever in these rules the exercise of any power or the performance of any duty has been assigned to the Trust, the Trust may delegate by rules framed under section 75 (d) of the Act, the exercise of such power or the performance of such duty to the Chairman or such of its Committee as it may, from time to time deem fit.

### **CHAPTER II**

#### **Financial, Accounts-& Budget**

##### **General Instruction :—**

4. In the matter of details connected with accounts the Trust shall be guided by the instructions of the Examiner, Local Fund Accounts, Rajasthan. The registers, forms and procedure prescribed in these rules



provide for all classes of transactions usually occurring in Trusts, except these pertaining to works for which separate rules shall be prescribed. No addition to or modification of these forms can be made by any Trust without the sanction of the State Government.

5. Figures in the accounts shall either be in Hindi or English character. Books of Accounts and Registers shall be bound and paged before being brought into use. Before any Account Book or Register or Receipt Book is brought into use, number of pages contained therein shall be counted and results recorded in a conspicuous place on the first and last page of such book, Register or Receipt Book, as the case may be, under the signature of the Head of Office.

6. Correction in the accounts shall be made neatly in red ink (a single line being drawn through the original entry to be corrected and fresh entry inserted over it) and attested by dated initials of the Head of the Office. Corrections and alterations in the vouchers shall be authenticated by the payee and shall also be attested by the officer drawing or preferring the claim, while those in the pay order shall similarly be attested by the Officer signing the pay order. Corrections in the assessment list can only be made under the dated initials of those authorised under the Act or rules to alter the assessment. Erasures or overwritings, on no account be permitted in Books, Registers, Cheques, Vouchers or account of any description.

7. Printed accounts forms in English or Hindi shall as far as possible be used.

8. All bills shall be prepared and signed in ink. The amount of bills as far as whole Rupee are concerned be written in words as well as in figures and naya Paisa may however be written in figures after words standing the number of Rupees, but in case there being no naya Paisa the word "only" should be written after the number of whole Rupees. Care should be taken to leave no place for interpolation e.g., "Rupees twenty six" only "Rupees twenty and five naya Paise" and "Rupees twenty and 25 nP."

9. No payment shall be made on a voucher or pay order signed by a person other than the officer duly authorised in this regard by the Trust. No money shall be paid on a voucher or order signed with a Rubber or facsimile stamp. When the acquaintance on a voucher is given by a mark or seal or thumb impression, it shall be attested by the officer of the Trust drawing, preferring and paying the claim.

When a bill, is presented for payment, the order sanctioning the charges shall invariably be quoted in the body of the bill.

### Receipt & Expenditure

#### Section--(i) Receipts & Revenue

10. Receipts & Crediting of Money.—All monetary transactions to which any officer, member or servant of the Trust in official capacity is a party shall without any reservation be brought to account and all the money

received shall be lodged in full into the treasury to be credited to the account of the Trust.

11. Moneys pertaining to the Trust, save with authorised advances, shall not be kept apart from the general balances at the credit of the Trust but shall at once be credited into the treasury in the account of Trust.

12. Money can not be drawn from treasury unless it is required for immediate disbursement. The practice of withdrawing funds with a view to avoid lapse of budget grant and placing such money in deposit is forbidden.

13. **Assessment and Collection of Revenue.**—It is the duty of the Chairman to see that the dues of the Trust are correctly and regularly assessed, collected and promptly paid into the treasury in the account of Trust. He shall accordingly maintain various Demand and Collection registers.

14. **Checks to Leakage of Revenue**—In order to ensure that all the demands collected are correctly brought to account of the Trust and there is no leakage of the revenue, the Chairman shall see that adequate checks are exercised and for this purpose, arrange to have test inspections of accounts of receipt carried out.

15. **Revenue Arrears.**—No amount due to the Trust should be left outstanding without sufficient reasons and where such dues appear to be irrecoverable, orders of the competent authority for their adjustment, remission, reduction of demand or write off must be sought without any avoidable delay under the rules framed in this behalf.

16. **Credit to Follow actual Realisation.**—No sums may be credited as revenue unless it has been actually realised, the credit must follow, and not precede the actual realisation.

## Section 2—Expenditure

17. **Essential condition governing Expenditure.**—As a general rule, no authority shall incur any expenditure until the expenditure has been authorised by general or special order of the competent Authority and the expenditure has been provided in the authorised grants and appropriation for the year.

18. **Liability not to be incurred without Budget provisions.**—No authority shall incur any liability unless there is a budget provision for it and expenditure has been sanctioned by the competent authority.

19. **Drawal of Funds.**—Money will not be drawn from the funds of the Trust save on the specific order of the Head of the office.

20. **Payment of any sum due by the Trust exceeding Rs. 100/-** in amount shall be made by means of a cheque and in no other way and payment amounting to less than Rs. 100/- shall however be made in cash out of the permanent advance.

**21. Standard of Financial Propriety.**—Every officer incurring or authorising expenditure from Trust Funds should be guided by high standard of financial propriety, and the principles on which emphasis is generally laid are the following:—

- (i) Every officer is expected to exercise the same vigilance in respect of expenditure incurred from Trust money as a person of ordinary prudence would exercise in respect of his own money.
- (ii) Expenditure should not be *prima facie* more than the occasion demands.
- (iii) No authority should exercise its powers of sanctioning expenditure to pass an order which will directly or indirectly be to his own advantage.
- (iv) Trust money should not be utilised for the benefit of a particular person or section of a community, unless:—
  - (a) the amount of expenditure involved is insignificant, or
  - (b) a claim for the amount could be enforced in a court of law, and
  - (c) the expenditure is in pursuance of recognised policy or custom.
  - (d) The amount of allowance granted to meet expenditure should be so regulated that the allowances are not on the whole a source of profit to the recipients.

**23. Delay in Payment.**—Delay in payment of money indisputably due by the Trust is contrary to all rules and budgetary principles and should be avoided.

**24. Control over Expenditure.**—The Chairman of the Trust must not only see that the expenditure is kept within the limits of authorised appropriation, but also that the funds allotted are expended in the interest and service of the Trust, and upon the objects for which provision has been made. In order to exercise proper control, he should keep himself closely acquainted with the progress of expenditure, commitment, and liabilities incurred but not paid.

**25. Operation of Sanction** —Sanctions of competent authority to an expenditure become operative as soon as funds are allocated to meet it and remains inoperative for the year or for a specified period, if any, subject to provision of funds from year to year if the term exceeds one year in any particular case.

### CHAPTER III

#### Rules for Payment of Money into and Drawal of Money from Treasury

**26.** In accordance with the section 66 the Trust shall keep a Personal Deposit account in a Government treasury or a bank to which the Government business has been made over. The account shall be operated upon by the Head of Office subject to the condition, hereinafter laid down.

27. All receipts and payments at the treasury relating to the Trust shall be passed through this account and the Treasury Officer shall be responsible to (i) note the transactions occurring directly in the treasury in the (Pass Book in U. I. T. Form 1) and (ii) verify the balance at the end of the month.

28. All sums paid into the treasury and all payments made on cheques (obtainable from treasury) shall be entered in the Pass Book in U. I. T. Form 1. At the close of each month, entries on each side of the pass Book shall be totalled and the balance struck and the Pass Book sent to the Treasury for verification and certificate by the Treasury Officer.

29. Handling of cash should, as far as possible, be avoided and in case of receipts in excess of Rs. 200/-, the Trust shall direct the payer from whom sums are due to pay them money direct to the account of the Trust in the Treasury.

30. Money received in the office of the Trust shall be remitted into the Treasury promptly. Accumulation of cash in the departmental chest should always be avoided. Remittance of money will be in the Treasury through Challan in U. I. T. Form 2 prepared in duplicate or triplicate, as the case may be, duly signed by the Head of Office, and an entry of such remittance shall be made in the Cash Book under his initials. The original copy of the challan will be handed over to the party paying the money and duplicate foil of the challan; received back duly receipted by the Treasury, shall be filed separately as a voucher in support of the remittance. The challan will show distinctly, the nature of payment, the name of person through whom money is being paid and from whom it has been received and all other information necessary for the preparation of the receipt to be given in exchange, and proper accounts classification of the credit.

31. Money shall be drawn from the account of the Trust in the Treasury by means of cheques. A reference to cheque number and date shall invariably be given on the relative bills so that no double payment of the same bill may be made. Money required for disbursement of personal claims of the employees of the Trust shall be drawn through 'Self Cheques'.

32. All cheques payable to third parties shall be handed over to them for obtaining payment direct from the treasury, after obtaining receipt under rules from the payee in token of acquittance for the payment.

33. Specimen signatures of the Head of Office shall be sent to the Treasury.

34. Cheque Book shall be obtained from the concerned treasury, with which the account of the Trust has been kept.

35. All Cheque Books blank or counterfoils of the used, except the one under use which may however be kept by the cashier, shall be kept under safe custody of the Head of Office.

36. All cheques issued by the Trust shall be payable at any time within three months after the date of the issue.

37. All cheques preferable at the Treasury for payment being non-negotiable instruments, can be endorsed only in favour of the specific party to whom the money is to be paid.

38. All cheques in a cheque book, when received will be counted, and each foil of the cheque distinctly marked with the rubber stamps of the Trust.

39. When a signed cheque is cancelled it shall be enfaced or stamped 'Cancelled' by the Head of Office. The fact of cancellation shall be noted in red ink, under the initials of the drawer of the cheque upon the counterfoil and also across the order for payment which has been enfaced upon the voucher.

40. (a) When a cheque is cancelled before the General Cash Book has been closed for the day of issue of the cheque the amount of the Cheque will be taken back in the cash book in the treasury column, facts of the cancellation being noted in the particulars column and credit entry made in the general ledger, under the initials of the Head of Office. When the cheque is cancelled after the Cash Book has been closed the amount of the cheque shall be taken back in the cash book in column 'Treasury' of the day of cancellation and amount of cheque so cancelled will be deducted from the classified abstract and credit entry made in the general ledger.

(b) If a Head of Office is informed that a cheque drawn by him has been lost he shall at once address the Treasury Officer drawn on forwarding for signature a certificate in the following form,—

"Certified that cheque No.....dated.....for Rs. ....reported by .... (Head of Office) .....to have been drawn by him on this treasury in favour of..... has not been paid, and will not be paid if presented hereafter".... and its payment stopped after ascertaining from the Pass Book and by enquiring from the Treasury Officer, that it has not been cashed. The loss of the cheque shall be noted on the counterfoil. If a fresh cheque is not issued in place of the lost one, the procedure laid down in rule 40 (a) shall be followed. If new cheque is issued its number and date shall be quoted against original entry in the cash book with the remark that original cheque has been lost, and the following note shall be made on the counterfoil of the cheque.

"Issued in lieu of cheque No.....dated.....for Rs.....lost or destroyed."

41. Cancelled cheques shall carefully be retained until the accounts for the period to which they relate have been audited when they shall be destroyed by or in the presence of the auditor who shall certify upon the counterfoil that the cheque has been destroyed.

## CHAPTER IV

## Instructions regarding handling of cash and maintenance of Cash Book.

## Section I

42. A cash book for keeping a record of the receipt and payment of money on behalf of Trust shall be maintained in U.I.T Form No. 3 in the office of the Trust.

43. All cash transactions shall be entered in the cash book in full as soon as they occur and attested by the Head of Office in token of check.

44. The cash book shall be closed regularly and completely checked by the Head of Office who shall initial each entry in token of its corrections.

45. At the end of each month the Head of Office should verify the cash balance in the chest with the balance in the Cash Book and record a signed and dated certificate to the following effect.

“Certified that the cash balance has been checked and found to be as under.....”

In case there is any difference between the actual cash and the balance as per Cash Book, the same shall be explained with Cash Book. A surprise check shall also be made once or twice a month to ensure that the cash balance in hand agrees with the cash book. As and when this check is exercised, the certificate given above shall be recorded by the Head of Office.

46. (a) When money is paid into the Treasury, the Head of Office making such payment should compare the Treasury Officer's receipt on the Challan and the Treasury Pass Book with the entry made on the Cash Book before attesting it, and satisfy himself that the amount has actually been credited into the Treasury.

(b) (i) The Cash Book shall be balanced at the end of the each day on which there is transaction. At the end of each month the entries of receipt and expenditure in the cash book shall be compared item by item with the Treasury Pass Book and the balance agreed, the difference, if any, being explained in a foot-note in the cash book thus:—

Cash Book closing balance

Deduct—Receipts not yet credited in the pass book (a)

Add—Amount of uncashed cheques drawn on treasury (b)

Balance as per Treasury Pass Book Details of (a) and (b)

(ii) The Book shall be laid before Head of Office for review.

(c) Each day after closing the cash book, details of cash in hand shall invariably be recorded in a foot-note.

47. Employment of class IV servants to fetch or carry money should be discouraged. The money should be obtained from or remitted into the treasury only through an employee of some length of service of proved trustworthiness, and who has offered sufficient security.

48. For handling cash there shall be a cashier. If there is no separate cashier, the duties of receipt and custody of cash shall be performed by such official as the Head of Office may direct in this behalf. Such an Official will be required to give adequate and valid security according to the rules framed in this behalf commensurate with the amount of cash likely to be kept in his sole custody.

49. (a) All cash in the departmental cash chest of the Trust shall be kept in strong iron chest under double lock arrangement. All the keys of both the locks shall not be kept in one person's custody, and the keys of one lock shall be kept apart from the key of the other lock and always in different person's custody (e. g. key of one lock in the possession of the Head of Office and that of the other lock with the cashier). The chest shall never be opened unless both the custodians of the keys are present.

(b) Duplicate set of keys of both the locks shall be deposited with the Treasury.

50. (a) When money is collected and paid into any of the offices of Trust, a receipt shall be given to the person making payment in U. I. T. Form No. 4. The receipt shall be signed by the cashier and the Head of Office in token of having received the money, who will satisfy himself that the amount has been properly entered in the Cash Book.

(b) The amount in the receipt shall be written both in figures and words.

51. The blank receipt books must be kept under lock and key in the personal custody of the Head of Office.

52. Before a receipt book is brought into use, the number of forms contained therein shall be counted and result recorded in a conspicuous place on the reverse of the counterfoil of first and last receipts of book under the dated signatures of the Head of Office. Counter Foils of the used receipt books shall also be kept in his personal custody. The account of the receipt and issue of receipt books shall be maintained separately in the stock-register, U. I. T. Form 27.

53. (a) When money is received by means of a postal money order, the Head of Office shall at the time of signing the money order receipt shall cause an entry for the amount to be made in the Register of Money Orders received in U. I. T. Form No. 5. The postal money order coupon shall be handed over to the cashier along with the money who shall make an entry in the Cash Book. The coupon shall be filed as a receipt voucher in support of the entry made in the Cash Book. Besides a cash receipt in the prescribed form shall also be issued in such cases giving a clear indication that the money has been received by a Postal Money Order.

(b) When money is received by means of a cheque or Demand Draft, the Head of Office shall cause an entry of the cheque to be made in the register of cheques and Demand Drafts etc. in form U. I. T. Form No. 6, under his dated initials and shall issue a formal receipt in the following form—

“Received a cheque/Demand Draft No.....dated.....  
amounting to Rs ... .....from..... on account  
of .....

Final receipt of the amount of cheque or Demand Draft shall only be issued when the same has been encashed, and then the amount shall be entered in the Cash Book.

## SECTION II

Classification, classified abstract and General Ledger.

54. For the purpose of classifying the income and expenditure classified abstracts in U.I.T. Form 7-A and B shall be kept in two volumes, one for receipts and the other for payments. A separate page or so shall be opened for each month and the receipts and charges appertaining to these items for each day shall be brought forward from the General Ledger. At the end of each month the total shall be made under each of the head of the abstract and progressive totals carried over in the next months.

Note:—Classification prescribed in this rule is for the purpose of budget, monthly and annual accounts which must strictly be followed.

55. A General ledger in U. I. T, Form No. 8 shall be maintained in two sets one for income and the other for expenditure. A separate set of page or so shall be allotted for each head of account, and voucher-wise entries of receipt or expenditure shall be posted every day from the Cash Book and totalled at the close of the day. The daily aggregate total of the General Ledger for each head of account shall be carried forward to classified abstract as mentioned in rule 54.

## CHAPTER V

Presentation of bill and maintenance of vouchers

### SECTION I

#### Bills

56. All claims for payment shall be prepared on the prescribed forms (U. I. T. Form No. 9) of the bills meant for the purpose, and will be presented to, Head of Office.

57. (a) Special care shall be taken that all bills, passed for payments and the cheques issued in payment thereof are properly scrutinised before doing so.

(b) When a bill is presented by a person who is not the actual payee or his duly authorised agent, he may be required to produce a letter of authority from the actual payee authorising him to take payment. Signature of the messenger or his thumb impression if illiterate, shall be taken



on the bill as a proof that he has actually received the payment or cheque, as the case may be, on behalf of the payee. In the absence of an authority from the actual payee the Head of Office shall refuse payment of the bill and return it to the person who presents it with a memorandum explaining why payment has been refused.

(c) All bills presented for payment should not contain any erasure, overwriting or alteration etc. and the bills having either of them shall be refused for payment and a fresh document shall be called for.

(d) When a person not in Trust employment, claims payment for work done, services rendered, or articles supplied, the Head of Office shall use special precaution for satisfying himself of the identity of the applicant for payment.

(e) In cases in which money due by the Trust is paid by a Money Order the cost of remittance, save in exceptional circumstances, when the terms of purchase may so warrant, shall be borne by the payee. Similarly collection charges of the cheques by outside firms shall not ordinarily be a liability on the Trust but borne by the payee.

(f) To guard against the possibility of double payment and other irregularities and complications in the accounts as well as to keep a close watch on the liabilities of the Trust, and their early settlement, the Head of Office shall see that a personal ledger account of all the creditors is maintained in U.I.T. Form No. 8 and kept up-to-date. As and when an order is signed, he shall see that a corresponding entry is made in the personal ledger.

(g) The Head of Office shall see that no charge is paid more than once and that allotment of budget are not exceeded in any case. In case of refunds he shall ensure that cross reference has been given in the payment voucher and other subsidiary registers e. g. D&E register, cash bill.

58 All pay order for money drawn on the bills shall be signed by the Head of Office.

59. The Head of Office ordering a payment is personally responsible to see that the claim is complete and genuine in all respects and affords sufficient information as to the nature of payment made.

## Section II

### Vouchers

60. For every payment of money made, the Head of Office spending money shall obtain a voucher setting forth. The clear particulars of the claim, and all information necessary for its proper classification in the account. Every voucher must bear or have attached to it an acknowledgement of the payment signed by the person by whom or in whose behalf, the claim is put forward. The acknowledgement shall be taken at the time of making payment or delivering cheque. Every voucher must bear a pay order signed by the Head of Office, specifying the amount payable both in words and figures.

61. Receipts of all payments above Rs. 20/- should be on a revenue stamp with 10 nP.

Note :—1. In determining whether the receipt obtained in respect of an amount drawn on a bill prepared against the Trust shall be stamped or not, the gross amount of the bill and not the net amount payable should be taken into account unless receipt is exempted under the provision as applicable to the Rajasthan Stamp Act.

2. In case of the cash memos when the amount exceeding Rs. 20/- receipt is required to be obtained on stamp.

3. Cash Memos should be in the name of the Trust.

62. All vouchers must be retained for the period 'to' be laid down for each class of payment and in any case they shall not be destroyed, before the accounts of the period has been audited.

63. All vouchers must be stamped or written in red ink 'Paid' so that they may not be used again.

64. In respect of accounts heads, the classification as prescribed in these rules should be strictly followed.

65. The classifications on bills should be recorded by the officer drawing the bill while that on the challans should be recorded by the officer responsible for collections of dues and making remittances into the Treasury. A reference of the bill for which payment is being made through cheques shall be given on the back of the counterfoil of the cheque to facilitate reference to the original voucher on which the charge has been raised.

## CHAPTER VI

### Establishment and other charges

66. In order to facilitate check of establishment bills and to ensure that no charge is paid twice, and an Establishment Check Register in U.I.T. Form No. 10 shall be maintained in which the whole establishment of the trust shall be recorded, every fresh appointment or revision of establishment being entered as soon as such a charge occurs, and the Trust's resolution or the order of the competent authority causing the change invariably quoted against each entry. All charges due to revision of establishment shall be entered in ink, having the original entry intact and entries relating to total net charge of each section or sub-section of each department, noted at each page in the beginning of the year and entries due to revision of establishment made during the course shall be attested by the Head of Office.

67. A separate page or set of pages of the register shall be set apart for each section or sub-section of each department, the different sub-sections being entered consecutive in the order of the sub-sections.

Establishment Check Register shall be completed as soon as establishment bill for the previous month is disbursed to the staff e. g. after payment of salary for the month of April, the Check Register shall be completed within the first week of May. The entry shall however be made under the respecting month to which the salary pertains.

68. Temporary establishment shall be entered in the Establishment Check Register at the end i. e. after permanent establishment and shall under no circumstances be mixed up with it. The period for which temporary establishment has been sanctioned shall distinctly be specified at the top showing the term of employment to prevent admission through an over sight of pay for a period in excess of the sanctioned period.

69. The pay of Trust establishment shall be drawn in salary bill in U.I.T. Form No. 11 and full details showing names of the incumbents section-wise, except in case of work charged staff of those paid out of contingencies. Sanctioned strength, scale of pay or each section shall be entered on the top each section in red ink and entries in each sections shall be totalled separately and individual total of each sections being added at the end to bring out a grand total of the bill.

70. The salary bill shall be signed by the Head of Office who shall also certify that the total of the bills has been got checked by some responsible official other than the one who prepared it and found correct.

71. The following instructions shall be observed in preparing the salary bills:—

- (a) The pay, acting, officiating allowance or leave salary whether drawn or not shall be specified in column 3 of salary bill and pay and allowances not drawn but held over shall be entered in column 4 showing brief reasons for doing so. When such held over amount is drawn subsequently through supplementary bills a reference of the original bill from which the claim was previously omitted shall invariably be given, along with a certificate that a note of this drawal has been made in the original bill as well as in the respective month of the Estt. Check Register.

When salary is drawn for a broken period, reasons for doing so, the period for and the rate at which it is drawn shall be distinctly entered in column 2 of the salary bill.

Officials absent on leave, suspension or deputation shall be clearly shown as such in the monthly salary bill, and any officiating or acting arrangements that may have been made, shall be noted in column 2 below the same of the original official whose name shall invariably appear in the bill.

In case of promotions, transfers, new appointment, leave salary suspension, re-instatement etc. copies of relevant sanctions should be quoted and attached with the bill.

- (e) In case salary of an incumbent is claimed as a result of transfer from any other office, a last pay certificate in U. I. T. Form No. 12 duly signed by the Head of his old Office shall invariably be attached with the first bill.
- (f) Health certificate signed by authorised Medical Attendant should accompany the first salary bill in case of new entrants.
- (g) When leave salary is claimed, an average pay calculation memo in U. I. T. Form No. 13 shall be attached with the bill. In case leave salary is being claimed at the rate of substantive pay a certificate to the effect shall be recorded in the bill. The leave salary in respect of employees at S N. has been claimed at the rates of his/their substantive pays as admissible under Rule.
- (h) Except in the case of advances, arrears or allowances permissible under rules, no pay shall be drawn before first working day of the month succeeding that by the labour of which it has been earned. The Trust may however resolve to allow salary being paid prior to due date, in every exceptional circumstances, with prior approval of the Government.
- (i) When an increment is claimed, an increment certificate in U.I.T. Form No. 14 shall be attached to the first bill. Similarly sanction of the competent authority to cross the efficiency bar shall be attached with the first bill.

72. Pay and allowances of an official of the Trust may, when he is unable to present himself in person to receive payment, be paid to a Banker or Agent duly authorised by him to receive the money, and give a legal acquittance provided that the Banker or the agent holds a legal power of attorney in his behalf. Acquittance of the payee for the amount of pay and allowances shall invariably accompany the letter of authority given to the banker or agent, which shall be surrendered to the Head of Office.

73 (a) The duty of making proper deductions from salary bills on account of provident funds, Insurance Premium and other funds, Income Tax, and House Rent etc. shall devolve on the drawer. A different recovery schedule U.I.T. Form No. 15 for all deductions shall be attached to the bill. The Head of Office shall issue a cheque in favour of the Treasury Officer in payment of the amount of deductions pertaining to the Government and sent to the Treasury Officer duly supported with the schedules in accordance with rules or direction issued in this behalf by the Government Department concerned.

(b) Recoveries pertaining to the Trust shall be adjusted by short drawal or in cash and their account maintained in Register of Mis-Demand Cum Advance Register (U. I. T. Form No. 44.).

74. The Head of office is personally responsible for the amount drawn on a bill signed by him, until he has paid it and obtained a legally valid receipt for it from the payee.

75. The travelling allowance and other permanent or fixed travelling allowance claims shall be prepared and presented in accordance with U. I. T. (Travelling Allowance) Rules framed in this behalf. The following instructions shall be observed in preparation of Travelling Allowance Bills—

- (i) The Travelling allowance bill shall be prepared in U.I.T. Form No. 16 and the instructions printed on the form being strictly followed.
- (ii) When actual expenses are drawn full details should be given showing the circumstance which rendered such a charge necessary.
- (iii) Full purpose of journey should invariably be shown and vague terms e.g. "On duty" should be avoided.
- (iv) Substantive or officiating pay and other emoluments specially classed as pay for the purpose of T.A. should be shown separately.
- (v) Headquarter should be mentioned in the column provided for.
- (vi) If the journey has been undertaken to attend a court of law, a certificate of attendance from the court must be attached with the bill.
- (vii) An order of the Head of Office authorising the journey should be attached with the T. A. Bill
- (viii) Dates and hours of journeys and halts, the actual mode of conveyance used for the journey and the route or alternative route used by air/rail or road should invariably be recorded on the T.A. Bill.
- (ix) Certificate which are appropriate, on the T.A. bills should be recorded by the claimant.
- (x) To guard against double payment of T. A. a Register of T.A. Bills in U.I.T. Form No. 17 shall be maintained.

## CHAPTER VII

### Permanent Advance.

76. An officer whose duties cause him to incur petty expenses which required to be paid at once before money can be obtained on a contingent bills a permanent advance shall be held by Head of the Office. The sum to be held shall be fixed on the supposition that recoupments will be made at least once a month.

77. All permanent advances shall be recorded in the Imprest Cash Book in the Red Ink.

78. Each officer who holds a permanent advance shall on the first of April, in each year sign an acknowledgment that the amount is held in his custody as permanent advance. In case of transfer of charge of the Head of an Office, a similar acknowledgement for the full amount shall be signed by the relieving Officer. These acknowledgements shall be kept in a guard file in the Office of the Trust. The permanent advance shall not be multiplied unnecessarily.

79. Each officer who holds a permanent advance shall keep a Imprest Cash Book in U.I.T. Form No. 18 and item of expenditure shall be entered as they occur.

80. When the cash in hand is running low, and the advance has to be recouped, a red line shall be drawn across the Imprest Cash Book, totals of items costs, and foil detached, all the sub-vouchers attached with it and placed before the Head of Office for pay order. Payment of the contingent bill shall be drawn by issuing a Cheque and the permanent advance thus recouped.

81. For all other contingent expenditure, above Rs. 100/- which cannot be met out of permanent advance a contingent bill in the U.I.T. Form No. 9 shall be prepared. Original bill of the payee, shall be attached with the bill after verification with regard to receipt of the articles billed having been received and entered in the stock register as provided in Rule 92 (Chapter IX). The Head of Office after satisfying himself with regard to genuineness of the claim shall sign a payment order and the payment of the said bill shall be made by issuing cheque as per provision 9 Rule 31.

## CHAPTER VIII

### Property vested in the Trust and Income derived therefrom

82. An acquisition Register in U.I.T. Form No. 19 shall be maintained scheme-wise. All lands, buildings, trees etc. vesting in the Trust whether by exchange, transfer, private purchase or acquired under the Act must be brought to account therein. When any movable portion of the properties, such as material or materials are disposed of or any property is temporarily leased, the necessary reference to the entry in the Material Register U.I.T. Form No. 20, Trees Register U.I.T. Form No. 21, Demand and Collection Register U. I. T. Form 22 must be made in the remarks column of Acquisition Register.

83. Material Register shall be maintained in U.I.T. Form No. 20, scheme-wise. As soon as any property vests in the Trust a detailed account of the movable portion thereof or in other words the Material comprised in that property, must be entered in the Material Register in order that a watch may be kept on the disposal of such movable property. When any such movable property is sold or is utilised on construction by the Trust. The fact should be noted in the remarks column of Material Register and reference being made to the entry of demand in the Demand and Collection Register for realising cost in cash or by adjustments, where the price for acquisition is based on rent and the property is auctioned standing within three months the filling up of column 3 in U.I.T. Form No. 20 is optional.

84. A register of trees shall be maintained in U. I. T. Form No. 21 scheme-wise. All trees vesting in the Trust shall be entered in it. When any tree or crop thereof is disposed of by sale the serial No. of the Demand Register shall be noted in the column provided in the Register of trees.

85. When any property which vests in the Trust is not immediately required for the purpose of a scheme and is leased temporarily, the demand must be brought to account in the Register of the demand and collection in U.I.T. Form No. 22. All demands must be given the necessary reference to the entries in the Acquisition and Material Registers.

86. A register shall be maintained in U.I.T. Form No. 23 showing all buildings and lands which are intended to remain the property of the Trust.

87. A Register showing disposal of property in U.I.T. Form No. 24 shall be maintained, a separate volume being maintained for (1) sales (2) leases and (3) transfers to Municipal Boards/Councils or given exchange etc. When property is leased, a reference to the number in the Rent Roll U. I. T. Form No. 25 must be entered in the last columns. All the entries shall be checked and attested by the Head of Office.

88. Registers of Demand and Collection on account of copying charges and embossing charges, shall be maintained in U. I. T. Form No. 26.

89. At the end of year, the Head of Office shall examine all the demand and collection registers and endorse a certificate thereon to the effect that the arrears have been correctly brought forward from the preceding years accounts and the current years demand have been correctly posted in it. At the end of the year, the account shall be carefully balanced and closed. Progressive total shall be cast and carried over from page to page and the grand total struck by a person other than the poster and to spare the accuracy of the accounts the following demand closing entries shall be made.—

#### Demand.

1. Arrear Demand.
2. Current Demand.
3. Total Demand fo

#### Collection.

4. Collection of Arrear Demand.
5. Collection of Current Demand.
6. Total Collections made during the year.
7. Remissions or write off made during the year.
8. Refunds made during the year.

#### Balance at the end of the year.

9. Arrear.
10. Curren
11. Total.

## CHAPTER IX

## Purchase and Stores.

90. Stores shall include all items of expendable and issuable nature as also dead stock of non-consumable nature purchased or acquired for use in the service of the Trust.

91. Purchase of stores must be in the most economical nature in accordance with the definite requirements. Stores should not be purchased in small quantities, but at the same time care should be taken not to purchase stores much in excess of actual requirements. All stores received should be examined, counted, measured or weighed while taking delivery and a certificate of having received them in full, in good condition, and according to specified sample if any, shall be recorded on the firms bill/invoice by the official receiving such stores. A certificate regarding entry of the articles mentioned in the bill having been entered in the stock register, giving page of the stock register shall invariably be recorded on the bill/invoice. These certificates should be attested by the Head of Office. In making purchase of stores, competitive tenders shall be invited for the supply of all articles after giving adequate publicity unless the value of the order to be placed is too small (below Rs. 100) and it is considered uneconomical to call for tender in which case the articles of comparable quality shall be purchased at the cheapest price available in the market after obtaining quotations from as many dealers as possible.

29. (i) The Head of Office entrusted with the custody of stores will be responsible to their safety. He should keep them in good and efficient condition protecting them loss, damage and deterioration. When the stores have become useless or obsolete or are rendered surplus and can not be put to any profitable use, a survey report shall be prepared by the Head of Office and submitted before Trust for necessary sanction for their disposal by public auction, write off.

(ii) An account of all stores purchased should be maintained in store ledger in U. I. T. Form No. 27. Separate pages for consumable and non-consumable may be sent apart for different kind of stores e. g., furniture stationery articles, cement structural steels etc. The store shall comprise of two broad categories viz. (i) consumable and (ii) non-consumable. Consumable articles shall comprise of items which after issue are normally used up i. e. pencils, nibs, ink, paper, eraser, etc., and are not required to be returned to store or accounted for after issue. Non-consumable stores comprise of such articles which even after having been used, have to be accounted for e. g. fixtures, ink stands, call bells. Non-consumable stores after issue should be transferred to Inventories of permanent articles to be hung up in the respective room in which they have been placed when such stores have served their normal life necessary action for their disposal as per provisions of Rule 96 should be taken.

(iii) In keeping the amount of the stores and their custody all the care shall be taken by the Head of Office, and if any loss or damage



occurs due to negligence of any servant of the Trust, it shall be treated as much a loss as if it were a loss of Cash. A physical verification of stores shall be carried out at least once in six months by the Head of Office and in token of having done so he will record a certificate in the stores ledger and make a note of and any other salient facts regarding excess, shortage and unusual depreciation of stores etc.

93. Stores will be issued on jobs and works pertaining to the Trust only and on the indent of officials concerned and in no case any private sale, use of business will be carried out of these stores.

## CHAPTER X

Embezzlements, losses and write off etc.

94. (i) The Head of the Office shall be personally responsible not only for any loss sustained by the Trust through fraud or negligence on his part but also for the loss arising out of the negligence on the part of any servant to the extent to which it may be shown that he contributed to the loss by his own action or negligence.

(ii) Whenever any loss of money, revenue or receipts, stamps stores or other property held by or on behalf of the trust caused by defalcation or fraud is discovered a report shall immediately be made to Chairman of the Trust, and a copy thereof shall be sent to the examiner. This must be followed by a detailed enquiry for which orders will be issued by the Chairman of the Trust and when the matter has fully been investigated, a further complete departmental enquiry report should be submitted to the Government and the Examiner showing the nature and the extent of loss, errors or neglect of rules, prospects of recovery, and the punishment to be accorded to the accused and to the persons who are responsible for contributory negligence.

(iii) As soon as reasonable suspicion arises that a criminal offence has been committed in respect of the matters pertaining to paragraph No. 3 the Head of Office shall make a report to the Police for carrying out investigations in the case.

95. The Head of Office shall be responsible for making prompt recovery of any over payments made out of the funds of the Trust even though made in good faith, and in making recommendation for waiving such recovery for special reasons, the fullest jurisdiction must be given in support thereof i.e. practical impossibility of recovery of such over payment may be waived only by the Trust.

96. The Trust may sanction by a three-fourth majority of members present and voting write off the value of stores rendered unserviceable in normal working or use.

Note:—A precise record of all unserviceable articles so written off shall be kept for their further disposal by Public auction.

97. All other losses of money, irrecoverable revenues, loans, advances, or stores other than those referred to in preceding rule 96 shall be written off by the Trust only with prior approval of the Government.

98. In case where any loss is caused through fraud, forgery, defalcations, serious negligence, of any servant warranting disciplinary action or through flaw on rules and procedure requiring rectifications or amendment, the Trust shall first review such a case and take appropriate actions before recommending the case to the Government for 'write off'.

99. A copy of sanctions to 'write off' losses shall be communicated to the Examiner.

## CHAPTER XI

### Audit and Statements

100. It is the responsibility of the Head of Office to see that all the officers who receive or pay money on behalf of the Trust maintain proper accounts thereof in such manner that information in regard to all receipts and expenditure could be deduced therefrom as laid down in the Act. All accounts shall be kept so clear, the details so fully recorded and the initial record of payments made so clear, explicit and self-contained as may produce a convincing and satisfactory evidence of facts.

101. The Head of office shall render accurately and promptly such accounts and returns exhibiting the position of those transactions as the State Government may prescribe from time to time.

102. A monthly account of income and expenditure under the prescribed head by these rule shall be sent to State Government in U. I. T. Form No.28. The account for each month should be despatched to the State Government as the latest by 15th of the following month.

103. At the end of each year the Trust shall prepare an abstract of annual account in U.I.T. Form No. 29 showing its income and expenditure under each head of budget and send it to the State Government by the 5th May at the latest. The abstract of annual account shall be accompanied by a statement of Grant-in-aid U. I. T. Form No. 30 showing the grant-in-aid received during the year under various schemes supported by utilisation certificates signed by the head of office clearly mentioning that grant-in-aid entirely or part has been spent specifically for the objects and purposes for which it was given, the account of which have properly been maintained, and the connecting vouchers are in his custody. If, however, sanction was given for diversion of funds from one head to the other mention of such sanction shall be made in the certificate.

104. Each Trust shall prepare a statement in U. I. T. Form No. 31 of the loans received from the State Government under various heads, other loans raised by the Trust, the amount of instalments that have become due for repayment to the State Government, amount actually repaid and the balance due from the Trust, and send this statement with the annual account.

105. Along with the annual statement a list of works undertaken under various schemes, with the progress of expenditure as provided in U. I. T. Form No. 32 shall also be enclosed.

106. Annual statement shall also be accompanied by a statement of Assets and Liabilities of the Trust.

107. The Accounts of the Trust shall be kept in the Book as prescribed below:—

1. Pass Book (Form No 1).
2. Cash Book (Form No. 3)
3. Register of Money Order received (Form No. 5)
4. Register of Cheques and Demand Drafts received (Form No. 6).
5. Classified Abstracts (7A & 7B).
6. General Ledger (8).
7. Establishment Check Register (Form No. 10).
8. Register of T. A. Bills (Form No. 17).
9. Imprest Cash Book (Form No. 18).
10. Acquisition Register (Form No. 19).
11. Material Register (Form No. 20).
12. Register of Trees (Form No. 21).
13. Demand & Collection Register (Form No. 22).
14. Register of Trust Buildings & Lands (Form No. 23).
15. Rent Roll (Form No. 24).
16. Register of disposal of sites (Form No. 25).
17. Register of demand and Collection on account of Copying charges & embossing (Form No. 26).
18. Stock Book (Form No. 27).
19. Register of grant-in-aid received (Form No. 33).
20. Register of loan, received and repayment (Form No. 34).
21. Register of Investments (Form No. 35).
22. Register of Deposits (Form No. 36).
23. Register of invoices (Form No. 37).
24. Postage Stamps Register (Form No. 38).
25. Register of suits (Form No. 39).
26. Register of telephone calls (Form No. 40).
27. Register of objections (Form No. 42).
28. Register of licence (Form No. 43).
29. Register of advances (Form No. 46).

108. The audit of the accounts of the advances of the Trust shall be governed by the provisions of Rajasthan Local Fund Audit Act, 1954. and Rajasthan Local Fund Audit Rules, 1955 made under the said Act.

109. The Trust shall make suitable arrangements to enable the audit party to hold the office for conducting audit, and shall keep all records, statements etc. ready for the purpose of audit and produce these in the manner as demanded by the audit party.

110. The Head of office shall prepare the financial statements prescribed by the Local Fund Audit Rules, 1955 and actual accounts for the period for which audit has become due, and produce these when demanded by the audit.

111. The report of the Examiner, shall be sent to the Government. A copy of the report of the Trust shall also be sent to the Head of Office who shall see that the irregularities pointed out in the audit report are promptly attended to and rectified.

112. The head of office shall promptly attend to the requisitions and objections issued during the audit and return them with the least possible delay to the audit. Compliance of the audit reports sent by the Examiner, shall be made in accordance with procedure laid down in rule 28 of Rajasthan Local Fund Audit Rules, 1955.

## CHAPTER XII

### Miscellaneous

113. The Trust shall maintain a register of grant-in-aid received in U.I.T Form No. 33, separate ledger account for each grant-in-aid shall also be maintained in the general ledger to see as to what extent the expenditure has been incurred, utilised out of the particular grant-in-aid and progressive total taken to classify abstracts of expenditure.

114. The Trust shall maintain a Register of loans received from the Government in U. I. T. Form No 34 and repayment shall be entered in it. A separate page shall be opened for each loan and loans from the Government shall be kept distinct from loans received from other source. Each entry therein shall be attested by the Head of Office. Government securities shall be kept distinct from other investments.

115. The Trust shall maintain a register of investments in U. I. T. Form No. 35.

116. The Trust shall maintain a register of deposits (Securities) made with the Trust, in U. I. T. Form No. 36. The register shall be in two sets one for the securities of employees of the Trust and other for tenants or contractors deposits. The former may not be written up annually but the entries, of the latter, which have not been refunded or forfeited shall be carried forward in detail to succeeding pages of the same register or if sufficient space is not available, to a new register every year. The Head of office shall annually verify the securities and shall certify each entry in the remarks column of the register.

117. The Trust shall maintain a register of Bills/invoices in U.I.T. Form No. 37 wherein all bills received from contractors/suppliers shall be entered as soon as received. The register shall be maintained by the store keeper, who shall enter the date of verification after entry into the store ledger under dated initials of the Head of office. Particulars regarding payment of the bill shall be completed by the accountant of the Trust under his dated initials.

118. The Trust shall maintain a postage Stamps Register in U. I. T. Form No. 38. Separate pages shall be allotted for each denomination. Entries of the receipt and issue shall be attested by the Head of Office.

119. For keeping a record of all suits to which the Trust is a party a register of suits shall be maintained in U.I.T. Form No. 39 in two volumes, one for suits to which the Trust is the plaintiff and the other for suits to which the Trust is defendant: The particular of each suit shall be entered as soon as a suit is instituted a notice of the institution of a suit is served, received and further action taken thereon recorded from time to time. Appeals shall be entered on separate pages allotted for the purpose and cross reference quoted in the register. This register should periodically be checked and signed by the Head of Office and laid before the Trust once every half year for revision.

120. A register of telephone calls shall be maintained in U.I.T. Form No. 40.

121. For maintaining a record of assessment and objections relating to betterment charges the assessment list and the Register of objections shall be maintained in U.I.T. Form No. 41 and 42 respectively when assessment is completed, each item will be attested by the Assessing Officer and the list shall be totalled and checked. Subsequent changes in the list if any will also similarly be attested: Demand and collection register for betterment charges shall be maintained in U.I.T. Form No. 2.

122. (i) Register for these taxes, fee etc. which are collected by means of licence shall be kept in U.I.T. Form No. 43.

Note:—The principle underlying the licence system of collection is that the dues are paid strictly in advance and there should be no question of arrears consequently no Demand and collection register need be kept for them.

(ii) At the end of each month the licensing officer shall examine the register and shall take such action as may be within his power with regard to every person whose licence may have expired upto date and who has not taken out a fresh licence or he may, if necessary report the matter to the Chairman or Secretary.

123. All other demand other than taxes shall be watched through Register of Miscellaneous Demand-Cum-Advance Register in U.I.T. Form No. 44.

### CHAPTER XIII

#### Budget Estimates.

124. The Budget is a statement of receipts and expenditure of the Trust, for a financial year.

125. The budget estimate of receipt and expenditure classified under the heads given in form 29 shall be drawn up by the Head of Office.

126. The sums to be provided in estimates of receipt or expenditure under a particular head must be such sum as can be raised or expended during the year. Estimates should be as close and accurate as possible. A saving in an estimate constitutes as much a financial irregularity as an excess in it.

127. Estimate of revenue of receipts should show the amount actually expected to be received during the coming year, including grants to be received from the State Government etc. The arrears, if any standing over from past years the collection should be included only to the extent those are expected to be realised during the course of the year to which the estimates relate.

128. In the case of fluctuating revenue or receipts the actuals of past three years and the sanctioned estimates of the current year shall be kept in view with regard to any general tendency either to stability, increase or decrease which the figures relating to past year may indicate and the probable effect of any special factor which may influence the revenue during the particular year.

129. Provisions should be made for gross receipts unless there are any instruction to the contrary in a particular case.

130. Provisions for refunds is to be made under the head of revenue under a separate minor head "Deduct Refunds" by means of deduct entry from the total estimated revenue under the major head.

131. The reasons for the estimates for the ensuing year should carefully be explained, item by item in a budget note. Where an estimate proposed for the ending year in any way abnormal, due regard should be paid to the following:—

- (i) Actuals of the past year as compared with the estimate for the year.
- (ii) Revised estimates for the current year as compared with the original estimates for that year.
- (iii) Budget estimates for the ensuing year as compared with the original or revised estimates for the current year.

132. While framing the estimates for expenditure for the ensuing year, current year's estimates should not be accepted as the only basis. The need for every item must be fully scrutinised before it is included in the estimates. The estimates for every item should provide for what is expected to be actually paid during the year including arrears. The provisions should be for gross expenditure.

133. It should be ensured that adequate and suitable provision is made:—

- (i) for the payment as and when these fall due of all instalments of principle and interest of loans contracted by the Trust;
- (ii) for such supplies and services including pay and allowances of the staff and members as may be required for the proper discharge of duties imposed by the Act or otherwise; and

- (iii) for a balance at the end of the said year of not less the sum as prescribed by the Government.

134. The estimates should be in two parts (i) for existing expenditure and (ii) for new expenditure, separate estimates should be framed with explanatory notes. While framing estimate for new expenditure, attention, should be paid to the necessity of raising new resources to meet additional demand and the proposal for the necessary measures in connection with new scheme viz., betterment charges etc. should simultaneously be drawn up and considered.

135. Alongwith the budget, complete accounts of the receipts and expenditure for the financial year preceding the one during which the estimates are framed should also be furnished by the Trust, e.g. the accounts of receipt and expenditure of relating to the year 1958-59 should be furnished along with the budget estimates for 1960-61 being framed in 1959-60.

136. While framing an estimate for sanctioned establishment, whether permanent or temporary, the following procedure should be adopted:—

- (i) The sanctioned strength (including numbers and rates of pay) should be shown together with the total cost thereof, provision being made where pay is progressive or on a time scale for increments which will fall due during the currency of budget year.
- (ii) from the totals of (i) a deduction should then be made for "probable savings" that may result from posts remaining unfilled.

Note:—Allowances should be made in probable savings where necessary, for variations due to incremental scales.

- (iii) The estimates for fluctuating items of expenditure such as, "Allowances and Honoraria" should be based on the current years allotment viewed in the light of the average of past three years actual allowance being made for any causes likely to modify that figure.
- (i) In cases where a post or a special allowance has been sanctioned for a year and the charge for the past month falls due in the budget year it must be taken against the grant of the budget year and provision made accordingly.
- (v) All compensatory allowances drawn by "officials included under the primary units, 'pay of officers' or Pay of Establishment" should be shown under the primary unit 'Allowances' and all such allowances drawn by the class IV servants who are paid from contingencies should be shown under "Miscellaneous."

137. The following shall be the programme for preparations and scrutiny of the budget estimates:—

1. Last date of submission of the Budget Estimates by 15th January, by the Head of Office to the Trust.

2. Last date for submission of the budget estimates by 1st February, by the Trust to the Government.
3. Last date for return of the sanctioned budget to the Trust by the Government 15th March.

138. If the Government is satisfied that adequate provision has not been made in the budget estimates to give effect to the provisions of the Act, it shall make such modifications as may be necessary to secure such provisions, and sanction the budget not later than 15th March every year.

139. An appropriation (i.e. provision in the budget) is intended to cover all charges, including all liabilities of past year, due to be paid during the year.

140. The amount provided under any head in the budget sanctioned by the Government may be transferred to any other head provided:—

- (a) That re-appropriation is made from one major head to another.
- (b) That due provision is ensured under each head for schemes, services or liabilities which, it is obligatory for the Trust to execute or pay in accordance with the provisions of the Act or rules made thereunder, or under the conditions of any grant made by the State Government.

141. In the course of a year, if the Trust finds it necessary to make additional provisions under any major head in the budget a supplementary or revised budget may be framed; and substituted to the Government who shall pass the supplementary or revised budget and accord sanction to the Trust.

142. The budget estimates shall be prepared and presented in the U.I.T. Form No. 45 to 49.

## CHAPTER XIV

### Miscellaneous

143. Copying fee under section 74 (1) (b).—The fee payable on a copy of extracts from the Municipal assessment list furnished to the chairman under section 35 of the Act shall be Re. 1/- per 100 entries or part of 100 entries.

144. Appointment, punishment and dismissal of Trust Officers and servants under section 74 (1) (c).—All questions connected with the appointment, punishment or dismissal of officers or servants of the Trust appointed other than officers to offices requiring professional skill, not below the rank of Assistant Engineer, shall be referred to the State Government for decision.

In respect of other officers such powers shall vest in the Trust.

145. Trust contracts under section 74 (1) (d).—(1) The Chairman may, on behalf of the Trust enter into any contract the value whereof does not exceed five thousand rupees and every such contract or agreement shall



be reported to the Trust at the next meeting thereof. He may also enter into contracts exceeding even Five Thousand Rupees with previous approval of the Trust.

2. Every contract or agreement by or on behalf of the Trust shall be in the name of the Trust and shall be signed by the Chairman on behalf of the Trust and sealed with the common seal of the Trust as hereinafter provided.

(3) The common seal of the Trust shall not be affixed to any contract or other instrument, except in the presence of the Chairman, who shall place his signatures to the contract or instrument in token of having sealed the said document.

(4) No contract shall be binding on the Trust unless it is executed and sealed in the manner referred to above.

146. Trust reports under section 74 (1) (h).—(1) The Trust shall submit to the State Government, not later than the 15th June in each year a report dealing with the operations of the preceding year.

N.B.—(1) The year shall be taken to begin on the 1st April and end on the 31st March.

(2) With the report, the Trust shall submit such returns and statements as are necessary to show clearly—

(a) the condition of its finances.

(b) the conditions of all schemes in hand, in such form as appears to the Trust most suitable for the purpose.

147. Power to grant leave of absence and allowances under section 74 (1) (j).—Until specific rules are made in this behalf, the provisions in the Rajasthan Service Rules, regarding the grant of leave, leave allowances and acting allowances shall mutatis mutandis apply to the officers and servants of the Trust except to the officers on deputation from the Government or other bodies.

148. Provident Fund under section 74 [1] [c].—Every Trust shall establish and maintain a provident fund which shall be governed by the rules made by the State Government to the employees of Municipalities in this State.

#### \*FORMS

**RAJ. IMPROVEMENT TRUST (CO-ORDINATION BETWEEN  
THE MUNICIPALITIES & THE IMPROVEMENT TRUST  
WITH REGARD TO CONSTRUCTION OF  
BUILDINGS) RULES, 1964**

**Town Planning Department**

**Jaipur, September 3, 1965.**

**Notification No. F. 4/32/LSG./59.—**In exercise of the powers conferred by sub-section (1) of clause 74 of the Rajasthan Urban Improvement Act, 1959 (Rajasthan Act 35 of 1959), the State Government hereby makes the following amendment to the Rajasthan Improvement Trust (Co-ordination between the Municipalities and the Improvement Trust with regard to construction of buildings) Rules, 1964, namely :—

**AMENDMENT**

**In the said rules,**

**1. in rule 2;**

**(i) for sub-rule (1) the following shall be substituted, namely :—**

**“(i) In the area within the jurisdiction of the Trust, whenever a building is proposed to be erected, re-erected, altered, or added, a plan shall be furnished to the Improvement Trust concerned and a copy thereof to the Municipality concerned duly prepared in accordance with the bye-lays framed under section 170 of the Rajasthan Municipalities Act, 1959”.**

**“(ii) in sub-rule (2), the expression “fifteen days” occurring after the expression ‘within a period of’ shall be substituted by the expression ‘thirty days’.**

**[Pub. in Raj. Gaz. 4 (Ga)—Dt. 30-9-65—Page 311 (79) ]**

## Notification under

# RAJASTHAN URBAN IMPROVEMENT ACT 1959

## TOWN PLANNING DEPARTMENT

Jaipur, April 21, 1965.

Notification No F. 7/2/TP/64.—In exercise of the powers conferred by sub-section (1) of section 43 of the Rajasthan Urban Improvement Act, 1959 (Rajasthan Act 35 of 1959), the State Government hereby makes the following amendments to this Department's notification No. F. 4/32/LSG/58 dated 17-7-1961, namely :—

### AMENDMENT

In the said notification,—

for sub-clause (a) of clause 6 the following clause shall be substituted, namely :—

1. “(a) Allotment of plots at fixed prices shall in all cases be on the basis of Lottery system and in the manner as prescribed in the Annexure attached to the notification.”

2. After clause 11, the following Annexure shall be added, namely :—

### ANNEXURE

1. The lots will be drawn by the Committee appointed by the Trust.

2. The lots will be drawn on the date, time and place as may be fixed by the Trust and such lots shall be drawn by one of the persons selected at random from amongst the spectators.

3. The date, time and place fixed for the draw of lots will be given wide publicity through publication of notices in 2 leading local newspapers and hand Bills and Local publicity by beat of drums in all important places, of the town. Applicants will be allowed to be present at the time of draw if they so desire.

4. Lots will be drawn separately for different sizes of plots in each scheme, and for different categories of applicants.

5. List of all eligible applicants will be prepared in the following form lot-wise after scrutinising that each applicant is eligible for allotment of a plot under the Scheme.—

List No. ....

Name of the Scheme.....

Size of the plot .....

Category of Applicant.....

S. No.	Name of the Applicant with address.	Number of the application form as printed on it	Identification number of the applicant	Remarks
1	2	3	4	5

Signature of the Secretary.

Signature of the Executive Engineer.

6. For the purpose of drawing lots, two boxes of suitable sizes Box No. 1 and Box No. 2 will be taken. Box No. 1 will contain paper slips (rounded up in the shape of balls) bearing the number of the eligible applicant and Box No. 2 will contain paper slips (rounded up in the shape of balls) bearing the numbers of the plot, to be allotted.

Specimen of slip for Box No. 1

Specimen of slip for Box No. 2

1. Name of the applicant.
2. Number of applications as printed thereon.
3. List No.
4. Serial No. of the Applicant on the list.

1. Name of the Scheme.
2. Size of the plot.
3. Number of the plot.

7. After the Trust/Committee has satisfied itself that slips have been duly prepared for all eligible applicants and the available plots for a particular draw, all slips would be converted into balls and will be put into the respective boxes. Thereafter, the lots will be drawn as per para 2 above. Two slips (one from each of the two boxes) will be drawn simultaneously. Separate numbered boxes would be used for the eligible applicants belonging to each category and the boxes would be labelled accordingly.

8. In a draw of lots in which the number of eligible applicants is larger than the number of plots, a statement in form 'A' given below will be used for recording the result of the draw. To save time, columns 1 and 2 of the statement will be completed before the draw takes place. Columns 2 to 5 will be completed in respect of each plot as soon as it is drawn in the lots.

#### Form 'A'

Name of the Scheme.....  
 Size of the plot.....  
 Category of the applicants ..  
 Total number of plots available.....  
 Number of eligible applicants ..

S. No.	No. of plot	Name of the successful drawee in whose favour plot mentioned in Col No. 2 has been drawn.	Printed No. of the application of the drawee concerned.	Identification number of the application of the drawee concerned.	Signature of the Chairman
1	2	3	4	5	6

9. The successful drawee in respect of each plot will also be announced simultaneously before the gathering. It shall, however, be made clear that the plots will be allotted to the successful applicants after approval by the Trust.

In respect of a draw of lots in which the number of applicants is less than the number of plot available a statement in Form 'B' given below will be used for recording the result of draw of lots :—

#### FORM 'B'

Name of the scheme .....	Size of the plots .....
Category of the applicant .....	Total number of plot available.....
	Number of eligible applicants.....

S.No.	Name of the eligible applicant	Printed No. on the application of the applicant	Identification No. of the application of the applicant	The No. of the drawn in the lot	Signature of the Chairman
1	2	3	4	5	6

10. As soon as a particular draw of lots is over, the Chairman of the Trust will sign the result of the draw to authenticate the same, the case will be submitted to the Trust for accordig approval to the allotment of the plots.

11. After the proposal has been approved by the Trust each successful allottee will be informed of the plot allotted to him, and he will be required to pay the premium etc. under the terms and conditions relating to the scheme.

*Notifications under*

**Rajasthan urban Improvement Act, 1959.**

*Published in Raj. Raj-patra part IV (c) dated June 4, 1960 at page 47*

Local Self-Government Department

**NOTIFICATION**

*Jaipur, June 3, 1960.*

No. F. 4 (32) LSG/59.—In exercise of the powers conferred by section 8, 9 and 13 of the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959), the State Government hereby directs that—

(i) for the purpose of carrying out improvement of the Urban area specified in the schedule hereto annexed, there shall be established a board of trustees to be called the Improvement Trust of Alwar where its principal office shall be situated;

(ii) the said trust shall consist of—

(a) Collector, Alwar	<i>Chairman.</i>
(b) Executive Engineer, B. & R, Alwar	<i>Member.</i>
(c) Shri Jai Krishan Sharma, Alwar	<i>Member.</i>
(d) Shri Ramjilal Agarwal	<i>Member.</i>
(e) Shri Umraolal Gupta, Advocate	<i>Member.</i>
(f) Shri Jai Narain Gupta	<i>Member.</i>

(Elected by the Municipal Council Alwar).

(iii) the term of the office of; and the said trustees shall commence on the publication of this Notification in the Rajasthan Gazette.

**THE SCHEDULE**

Urban area of Alwar.

By Order of the Governor,  
R. D. THAPAR,

Secretary to the Government.

*Published in Raj. Raj-patra part VI (a) dated October 17, 1960 at page 321*

Local Self-Government Department

**NOTIFICATIONS**

*Jaipur, October 14, 1960.*

No. F. 2 (4) LSG/60.—In exercise of the powers conferred by sections 8, 9 and 13 of the Rajasthan Urban Improvement Act (35 of 1959), the State Government hereby orders:—

(1) that for the purpose of carrying out improvements of the urban area included in the Municipal limits of Udaipur City, a

board of trustees called the Improvement Trust, Udaipur shall be established.

(2) that the said trust shall consist of:—

(i) Collector, Udaipur	Chairman	
(ii) Shri Bhai Bhagwan	Member	Members elected
(iii) Shri Prakash Mal Chatur	"	by the Municipi-
(iv) Executive Engineer, P.W.D., B&R.	"	pal Council of
(v) Shri Kajori Lal Bansal	"	Udaipur.
(vi) Shri Pratap Singh Muradia	"	Members appoin-
(vii) Shri Mohammed Hussain	"	ted by the State
	"	Government.

(3) that the term of office of the said Trustees shall commence from 1st November, 1960.

*Jaipur, October 14, 1960.*

No. F. 2 (2) LSG/60.—In exercise of the powers conferred by sections 8, 9 and 13 of the Rajasthan Urban Improvement Act (35 of 1959), the State Government hereby orders :—

(1) that for the purpose of carrying out improvements of the Urban area included in the Municipal limits of Jodhpur City, a board of trustees called the Improvement Trust Jodhpur shall be established.

(2) that the said trust shall consist of:—

(i) Collector, Jodhpur	Chairman	
(ii) President, Municipal Council, Jodhpur	Member	Members elected
(iii) Shri Jai Lal Sharma	"	by the Municipal
(iv) Executive Engineer, P.W.D. B. & R.	"	Council of Jodhpur.
(v) Shri Narendra Kumar Sanghi	"	Members appointed
(vi) Shri Jagan Nath Purohit Retired I.A.S.	"	by the State Govern-
(vii) Shri Makhtoor Mal Singhi	"	ment.

(3) that the term of office of the said Trustees shall commence from 1st November, 1960.

*Jaipur, October 14, 1960.*

No. F. 2 (3) LSG/60.—In exercise of the powers conferred by sections 8, 9 and 13 of the Rajasthan Urban Improvement Act (35 of 1959), the State Government hereby orders:—

(1) that for the purpose of carrying out improvements of the Urban area included in the Municipal limits of Ajmer City, a board of trustee called the Improvement Trust, Ajmer shall be established.

(2) that the said trust shall consist of:—

(i) Collector, Ajmer	Chairman	
(ii) Shri Kishan Gurnani	Member	Members elected by the Municipal Council,
(iii) Shri Manak Chand Sogani	"	
(iv) Executive Engineer, P.W.D.;	"	Member appointed by the State Government.
(v) Dr. Amba Lal	"	
(vi) Dr. Suraj Narain Retired Civil Surgeon, Ajmer	"	
(vii) Sri Dan Mal Mathur, Vice- Principal, Mayo College, Ajmer	"	

(3) that the term of office of the said Trustees shall commence from 1st November, 1960.

*Jaipur, October 14, 1960.*

No. F. 2 (1) LSG/60.—In exercise of the powers conferred by sections 8, 9 and 13 of the Rajasthan Urban Improvement Act (35 of 1959), the State Government hereby orders:—

(1) that for the purpose of carrying out improvements of the Urban area included in the Municipal limits of Bikaner City, a board of trustees called the Improvement Trust Bikaner shall be established.

(2) that the said trust shall consist of:—

(i) Collector, Bikaner	Chairman	
(ii) Shri Shiva Kishan Acharya	Member	Members elected by the Municipal Council of Bikaner
(iii) Shri Uma Kant Chowdhry	"	
(iv) Executive Engineer, P.W.D. B & R. Bikaner	"	Members appointed by the State Government.
(v) Shri Panna Lal Barupal, M.P.	"	
(vi) Shri Mool Chand Pareek	"	
(vii) Shri Kishan Lal Chandak	"	

(3) that the term of office of the said Trustees shall commence from 1st November, 1960.

By Order of the Governor,  
A. K. ROY,  
Secretary to the Government.

*Published in Raj. Raj-patra part I (b) dated December 27, 1960 at page 77*

Local Self Government Department

NOTIFICATION

*Jaipur, December 26, 1960.*

No. F. 4 (32) LSG/A/59.—In exercise of the powers conferred by sections 8, 9 and 13 of the Rajasthan Urban Improvement Act, 1959 (Rajasthan Act No. of 1959), the State Government hereby orders:—



(1) that for purposes of carrying out improvement of urban areas included in the Municipal limits of Jaipur city (excluding the areas within the city walls of Jaipur) shall be established;

(2) that the said Trust shall consist of:—

- |   |          |                            |
|---|----------|----------------------------|
| 1. Shri Devi Shanker Tiwari                       | Chairman |                            |
| 2. Administrator, Municipal Council, Jaipur       | Member   | Members appointed by the   |
| 3. Shri D.K. Kriplani, Municipal Engineer, Jaipur | "        | Municipal Council, Jaipur. |
| 4. Superintending Engineer (B&R)., Jaipur         | "        | Members appointed by the   |
| 5. Shri Sardarmal Sanghi Advocate, Jaipur         | "        | State Government.          |
| 6. Shri Ramesh Chandra Swami, Advocate, Jaipur    | "        |                            |
| 7. Shri Seeru Mal, Advocate, Jaipur               |          |                            |

3. The term of office of the above Trustees shall commence from the date of publication of this Notification in the official Gazette.

By Order of the Governor,  
P. N. SETH,  
Deputy Secretary to Government.

*Published in Raj. Raj-patra part I (b) dated December 30, 1960 at page 81*

### Local Self-Government Department

### CORRIGENDUM

*Jaipur, December 30, 1960,*

No. F. 4 (32) LSG/A/59.—In this Department Notification No. F. 4 (32) LSG/A/59 dated the 26th December 27, 1960 published in the Extraordinary issue of the Rajasthan Gazette, Part I (B), dated December 27, 1960—

(1) the figures '35' shall be inserted between the words 'No.' and 'of' in the second line thereof ; and

(2) the words "a Board of Trustees to be called the Improvement Trust of Jaipur" shall be inserted in the fourth line between the words and bracket "within the City walls of Jaipur" and the words "shall be established;"

P. N. SETH,  
Deputy Secretary to Government.

*Notifications under*

**Rajasthan Urban Improvement Act, 1959**

*Published in Raj. Raj-patra part IV (c) dated August 1, 1961 at page 111:*

Local Self-Government Department

**NOTIFICATION**

*Jaipur, July 17, 1961.*

No. F. 4 (32) LSG/59.—In exercise of the power conferred by sub-section (1) of section 43 of the Rajasthan Urban Improvement Act, 1959 (Rajasthan Act 35 of 1959), hereinafter referred to as the said Act, the State Government hereby places all nazul lands within the Municipalities of Ajmer, Alwar, Bikaner, Jaipur, Jodhpur and Udaipur, except those lying within the city walls of Jaipur, at the disposal of the Improvement Trust (hereinafter referred to as the Trust) established and constituted under the said Act respectively for each of the aforesaid places, on the following terms and conditions, namely:—

(a) Every Trust shall improve the lands placed at its disposal in accordance with a scheme or schemes framed and sanctioned under the said Act;

(b) Such improvement shall not be undertaken or carried out except by or under the control and supervision of the Trust;

(c) The Trust shall demarcate plots both for allotment at a fixed price and for sale by auction and shall formulate proposals for fixing the reserve price for such allotment and sale;

(d) The Trust may also, in consultation with the district level officers of the departments concerned and the district development officer, set apart lands placed at its disposal, for school buildings, dispensaries, veterinary dispensaries and the like;

(e) All proposals made by the Trust, together with those for fixing the reserve price at which plots improved and demarcated as aforesaid may be allotted or sold by auction shall be submitted for the sanction of the State Government;

(f) Such proposals shall be examined by a committee consisting of—

(i) the Minister for Local Self-Government Department,  
(ii) the Collector of the District concerned.

(iii) the Secretary to the Government in the Local Self-Government Department.

(iv) the Chairman of the Trust concerned or any other trustee nominated by the Chairman, and;

(v) a representative of the Finance Department not below the rank of a Deputy Secretary to Government;

(g) The Committee shall meet at least once a month or, if there be no proposals for its consideration, at least once a quarter and any three members present at the meeting shall form the quorum necessary for the transaction of its business;

(h) The Committee may sanction the proposals with or without any modifications or may return them to the Trust concerned for reconsideration;

(i) The reserve price finally approved by the Committee for allotment or sale of lands shall be the sanctioned reserve price;

(j) A copy of the proceedings of the Committee shall be sent to the Secretary to Government in the Local Self-Government Department; and

(k) The nazul lands shall, after the necessary improvement and demarcation have been made, be disposed of by the Trust subject to any directions of the State Government issued from time to time under clause (b) of sub-section (1) of section 60 of the said Act.

2. Further, in exercise of the power conferred by clause (b) of sub-section (1) of section 60 of the said Act, the State Government issues the following directions subject to which the nazul lands, improved and demarcated as aforesaid, may be disposed of by the Trust concerned, namely:—

(i) Such nazul lands shall be disposed of by the Trust concerned for and on behalf of the State Government.

(ii) Save as otherwise directed herein plots of land shall be sold by public auction and the Collector or any officer appointed by him in this behalf shall be associated at the time of such auction.

(iii) Such sale by public auction shall be held in the following manner:—

(a) wide publicity of the proposed auction shall be given by describing the plots proposed to be sold together with their dimensions and area so completely that the description may admit of their identification and by notifying the date and time of the auction and the conditions thereof;

b) auction shall be held by an auctioneer appointed by the Trust and under the supervision of an officer of the Trust authorised in this behalf;

Provided that, where an auctioneer has not been so appointed or is not present, the auction shall be held by an officer of the Trust appointed in this behalf by the Trust,

- (c) conditions of bidding shall be read out before the auction starts;
- (d) every bidder shall be required, before he is allowed to bid, to deposit a sum of Rs. 50 which shall be refunded to him at the close of the auction,
- (e) proceedings shall be drawn up stating the name of every bidder and the amount for which he bade.
- (f) the successful bidder shall be required forthwith to deposit a sum equal to one-fourth of the amount of his bid by way of earnest money and the remaining three-fourths of such amount shall be deposited by him, within one month of the acceptance of the bid, failing which the earnest money shall be liable to be forfeited,
- (g) the bids shall be subject to the sanction of the Chairman of the Trust in whom is reserved the right to accept or reject any bid without assigning any reason therefor,
- (h) attempt shall be made to ensure that rings are not formed,
- (i) the officer holding or supervising the auction may at any time cancel any bid if he finds it not to be free and competitive.
- (iv) Plots at fixed price may be allotted to the following categories of persons:
  - (a) members of Scheduled Castes and Scheduled Tribes.
  - (b) persons who do not pay income tax, and
  - (c) persons whose income exceeds Rs. 250/- per mensem but is below Rs. 400 per mensem.
  - (v) Fixed price shall—
    - (a) in the case of members of Scheduled Castes and Scheduled Tribes and persons not paying income tax, include development charges plus 20% thereof, and
    - (b) in the case of persons whose income exceeds Rs. 250 but is less than Rs. 400 per mensem, be double the fixed price or the highest price at which plots situated in the same locality have been sold by auction, whichever is less.
  - (vi) Allotment of plots at fixed price shall be made—
    - (a) in the case of members of Scheduled Castes and Scheduled Tribes and persons not paying income-tax, on the basis of first come first served, and
    - (b) to the persons residing in the same town or city.
  - (vii) Small strips of land adjoining existing buildings and comprised within the nazul lands placed at the disposal of the Trust under sub-section (1) of section 43 of the said Act shall be disposed by the Trust at the sanctioned reserve price.

*Explanation.*—1. A strip of land shall mean a piece of land adjoining an existing plot which cannot be put to independent use taking into consideration its smallness and situation. No Strip of land shall be sold—

- (i) if it endangers public safety, or is against traffic regulations;
- (ii) if it is to be used for a purpose other than the building to which such strip is adjacent.

*Explanation.*—2. The sale of strip shall further be subject to the following additions:—

- (i) if strips of land abuts trafficis land, it shall not be sold without prior approval of the District Magistrate.
- (ii) construction over the strip shall not in any way may beauty or general out look of the area.
- (8) No plot shall be allotted or sold for a price which is less than the sanctioned reserve price:

Provided that lands for schools and other public and charitable institutions may be disposed of by the Trust—

- (a) on payment of 50% of the sanctioned reserve price, or
- (b) with the prior permission of the State Government, free of any charge.

(ix) Allotment of the plots at fixed price shall be subject to the conditions:—

- (a) that the allottee shall be bound to complete the construction of a house thereon within a period of two years from the date of allotment,
- (b) that he shall not transfer the land so allotted until such construction is completed; and
- (c) where no such construction is made within the period of two years as aforesaid, the allotment shall be liable to cancellation subject to the refund of three-fourths of the fixed price paid for if and the removal by the allottee of the building materials, if any, lying or standing on the plot allotted.

(10) All moneys received on account of the sale or allotment of the plots shall be credited to the Improvement Fund constituted under sub-section (1) of section 61 of the said Act.

(11) For every sale or allotment of land by the Trust, a document in respect thereof shall be prepared in the form prescribed by the State Government and such document shall be signed for and on behalf of the Governor of the State by the Chairman of the Trust concerned and shall be duly stamped and registered at the expense of the purchaser or allottee.

#### Notes.

Explanations 1 and 2 in this notification below condition No. 7 have been added vide Local Self-Government Department Notification No. F. 3 (b) (35) LSG/62 dated June 26, 1962, published in Rajasthan Raj-patra, part IV (c) dated July 12, 1962.

*Published in Raj. Raj-patra IV (c) dated August 23, 1962 at page 472.*

*Jaipur, July 6, 1962.*

**No. F. 4 (32) LSG/59.**—In exercise of the powers conferred by sub-section (1) of section 43 of the Rajasthan Urban Improvement Act, 1959 (Rajasthan Act 35 of 1959) the State Government hereby places all nazul lands within the limits of the Municipal Board, Bharatpur at the disposal of the Improvement Trust, Bharatpur established and constituted under the said Act on the terms and conditions as specified in this Department Notification No. F. 4 (32) LSG/59 dated the 17th July, 1961 as subsequently amended from time to time.

By Order of the Governor,  
P. N. SETH,

Deputy Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated December 4, 1961 at page 519 :*

Local Self-Government Department

### NOTIFICATIONS

*Jaipur, June 8, 1962.*

**No. F. 4/32/LSG/59.**—In exercise of the powers conferred by sub-section (1) of section 43 of the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959), the State Government hereby makes the following amendment in this Department Notification No. F. 4/32/LSG/59, dated the 17th July, 1961, namely:—

### AMENDMENT

1. For sub-clause (iv) of clause (7) the following shall be substituted, namely:—

“Allotment of plots at fixed price shall, in all cases be on the basis of first come first serve, and to the persons residing in the same town or city.”.

*Published in Raj. Raj-patra part IV (c) dated July 12, 1962 at page 328 :*

*Jaipur, June 26, 1962.*

**No. F. 3 (b) (35) LSG/62.**—In exercise of the powers conferred by sub-section (1) of section 43 read with section 60 of the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959), the State Government hereby makes the following amendments in this Department Notification No. F. 4 (32) LSG/59, dated the 17th July, 1961, namely:—

### AMENDMENTS

In the said Notification the following explanations shall be added to sub-clause (vii) of clause 2, namely:—

*Explanation—1.* A strip of land shall mean a piece of land adjoining an existing plot which cannot be put to independent use

taking into consideration its smallness and situation. No. strip of land shall be sold—

- (i) if it endangers public safety, or is against traffic regulations;
- (ii) if it is to be used for a purpose other than the building to which such strip is adjacent.

*Explanation —2.* The sale of strip shall further be subject to the following additions:—

- (i) if strips of land abuts traffics land, it shall not be sold without prior approval of the District Magistrate.
- (ii) construction over the strip shall not in any way mar beauty or general out look of the area.

By Order of the Governor,  
P. N. SETH,

Dy. Secretary to the Government.

*Published in Raj Raj-patra part IV (c) dated November 2, 1962, at page 381*

Local Self-Government (T.P.) Department

### NOTIFICATION

*Jaipur, November 2, 1962.*

No. F. 8 (92) LSG/62.—In exercise of the powers conferred by Section 48 of the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959), the State Government hereby transfers with immediate effect the powers exercisable by the Municipal Councils and the Municipal Boards under Section 203 of the Rajasthan Municipalities Act, 1959 to all the Improvement Trusts to be exercised within the scheme areas.

By Order of the Governor,  
P. N. SETH,

Deputy Secretary to the Government.

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*Rules and Notifications under*

**RAJASTHAN URBAN LAND TAX ACT, 1964.**

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# RAJ. URBAN LAND TAX RULES, 1965

## REVENUE (B) DEPARTMENT

Jaipur, May 6, 1965,

*Notification No. F. 6 (114) Rev. B.1/64.*—In exercise of the powers conferred by section 30 of the Rajasthan Urban Land Tax Act, 1964 (Rajasthan Act 18 of 1964), read with sections 4, 6(k), 7(2), 8, 10(3), 11(1), 14, 15, 16, 17(3) and 18 thereof, the State Government hereby makes the following rules, the same having been previously published, as required by subsection (1) of section 30, namely:—

1. *Short title*—These rules may be called the Rajasthan Urban Land Tax Rules, 1965.

2. *Definitions*.—In these rules, unless the context otherwise requires,—

- (i) 'Act' means the Rajasthan Urban Land Tax Act, 1964;
- (ii) 'Form' means a form appended to these rules; and
- (iii) 'section' means a section of the Act.

3. *Officers and staff for the administration of the Act*—The State Government may divide the State into different areas and appoint such officers and staff for administration of the Act as it may consider necessary.

4. *Determination of market value under section 4*.—In determining the market value of any urban land under section 4, the following factors shall also be taken into consideration:—

- (i) the prices for which urban lands have been recently bought and sold in the locality, making due allowance for the special features, if any, in any individual transaction;
- (ii) the rents fetched for the use and occupation of the urban lands in the locality;
- (iii) the principles generally adopted in valuing lands under the Rajasthan Land Acquisition Act 1953 (Rajasthan Act 24 of 1953); and
- (iv) the compensation awarded in recent land acquisition proceedings after deducting the solatium, if any, for compulsory acquisition.

5. *Exemption*—The urban land appertenant to a building shall, to the extent given hereunder, be exempt from the operation of the Act:—

- (a) if part or whole of such land is required to be kept open and unbuilt upon under any law for the time being in force, such part or whole, as the case may be;
- (b) where no such law is in force,—
  - (i) one-third of the total area or one-half of the built up area, whichever is less, if such building is used for a residential purpose, or
  - (ii) one-half of the total area or four times the built up area, whichever is less, if such building is used for an industrial purpose.

*Explanation*—For the purpose of this rule,—

- (a) “industry” includes the carrying on of any manufacturing process as defined in the Factories act, 1948; and “industrial” shall be construed accordingly;
- (b) “industrial use” includes the use of any land or building or part thereof for the purposes of industry;
- (c) “residence” includes the use for human habitation of any land or building or part thereof including gardens, grounds, garages, stables and out-houses, if any, appertaining to such building; and “residential” shall be construed accordingly.

6. *Powers and duties of assessing authority.*—An assessing authority shall, in addition to the powers and duties conferred on him by the Act,—

- (a) have the powers to—
  - (i) affix, or cause to be affixed, to any urban land within his jurisdiction, any mark or number for purposes of identification;
  - (ii) examine any document, relevant to the market value of, or the assessment of the amount of the tax on, the urban land or to the identity of the person liable to pay the tax; and
  - (iii) get a survey made of all lands appertenant to buildings and otherwise with a view to ascertaining their liability to tax; and
- (b) have the duty to—
  - (i) be responsible for the proper maintenance and safe custody of, all registers, records and other documents required by or under the Act to be maintained; and
  - (ii) carry out such general or special orders, as may be issued by the State Government from time to

time in connection with the carrying out of the provisions of the Act.

7. *Preparation of provisional assessment list.*—(1) As soon as may be after the commencement of the Act, and thereafter every time a fresh assessment list is required to be prepared for an urban area, the assessing authority shall cause a provisional assessment list of all lands situate in the urban area to be prepared in Form I. In doing so, he shall get the entire area divided into convenient sub-divisions and, assigned to urban land liable to tax situate there in a serial number which shall, as far as possible, be marked conspicuously on, at, by or near it :

Provided that where the serial numbers have already been marked by the local authority, the same shall, so far as may be, be adopted for the purpose.

(2) The assessment list may, if the assessing authority thinks fit, be made in separate parts, one for each sub-division formed under sub-rule (1).

8. *Publication of provisional assessment list.*—(1) When the provisional assessment list has been prepared, the assessing authority shall prepare a notice stating at what place and time the list will be open to inspection by the public, and the date by which objections thereto may be filed.

(2) The notice shall be published by affixation at the offices of the assessing authority, the local authority exercising jurisdiction in the local area, the District Magistrate, the Sub-Divisional Magistrate, the Tehsildar and such other conspicuous place or places in the urban area concerned as may, by order, be specified by the assessing authority. It shall also be published by beat of drum in the urban area.

(3) The date on which the provisional assessment list is made available for inspection shall be noted on the list.

9. *Filing of objections.*—The objections to be filed under section 9 shall be in writing addressed to the assessing authority and stating clearly the urban land to the assessment whereof the objection relates, the name of the objector and the grounds of such objection.

10. *Registration and scrutiny of objections.*—(1) The assessing authority shall cause all objections received under section 9 to be entered in a register to be maintained in Form II, hereinafter called the Register of Objections.

(2) On scrutiny such of the objections as are found to be deficient in any of the following ways shall be summarily rejected by the assessing authority:—

(i) If the objection has been received after the expiry of the due date except where it is admitted by the assessing authority under the proviso to section 9;

(ii) If the identity and address of the objector is not sufficiently stated in the objection;

(iii) If the ground of objection or where there are more grounds than one, all of them have been so stated that no reasonable conclusion can be drawn as to the exact point or points urged.

(3) The order of the assessing authority under sub-rule (2) shall be in writing and shall state in brief the reasons for rejection.

(4) Where any objection has been rejected under clause (ii) or (iii) of sub-rule (2), the objector may, subject to the period of limitation prescribed in section 9, file fresh objections after removing the deficiency for which the objection was rejected.

11. *Issue of notice to objector.*—If an objection is not summarily rejected under sub-rule (2) of rule 10, a notice in Form III shall be served in the following manner on the objector informing him of the date on, and the place at, which the objection shall be heard—

(i) by delivering personally to the owner;

(ii) if the owner is not found, by delivering the same to some adult member of his family or the servant at his last known place of residence in the urban area or to some adult employee at his usual place of business in the urban area, if any;

(iii) if the owner does not reside in the urban area and his address elsewhere is known to the assessing authority, by sending the notice to him by post on the said address under certificate of posting and the same shall be regarded as sufficient evidence of service of the notice; and

(iv) if the owner is not served by any of the means aforesaid, by causing the said notice to be affixed on some conspicuous part of the urban land to which the same relates.

12. *Mutation of names in the list.*—(1) Any person may, at any time, apply in writing to the assessing authority to have his name entered in the assessment list as owner of any urban land. The assessing authority shall, after such enquiry, if any, as he deems fit, unless there are sufficient reasons to refuse such application, which shall be recorded in writing, order that the name of that person shall be recorded and on such order, it shall be so recorded.

(2) When doubt arises as to who is entitled to be entered as owner of any urban land, the assessing authority shall determine the person entitled to be entered as such and his decision shall remain in force till set aside by the order of a competent court.

(3) Where the proprietary rights in any land assessed or subject to the payment of the tax are transferred, the transferee or transferees, shall, within four months after the execution of the instrument of transfer or after its registration, if it is registered, or after delivery of possession if no instrument is executed, give notice of such transfer in writing to the assessing authority.

(4) If the owner of any urban land assessed to, or subject to the payment of the tax, dies, the person succeeding as heir or otherwise, to his rights in the property shall similarly give to the assessing authority notice of succession to such rights within three months from the date thereof.

(5) The application to be given under sub-rule (1) shall state clearly and correctly all the particulars about the urban land in question, the name of its owner as shown in the assessment list, the basis on which the name is sought to be changed, the amount of the taxable value as entered in the list and the amount by which the same is sought to be replaced.

(6) Any transferee mentioned in sub-rule (3) or sub-rule (4) shall, if called upon to do so by the assessing authority, produce the instrument of transfer (if any) or a copy thereof obtained under the Indian Registration Act, 1908 (Central Act 16 of 1908).

13. *Decision on objections.*—(1) The assessing authority shall afford to the objector and any other person who, in his opinion, is likely to be directly interested in the result of the objection, a reasonable opportunity of being heard in person or by an authorised agent.

(2) The assessing authority shall hear and record such oral or documentary evidence as may be relevant to the enquiry.

(3) A memorandum of order passed on every objection shall be recorded in the Register of Objections together with the date of such order; and the requisite correction, revision or modification, if any, shall be carried out in ink in the provisional assessment list under the signatures of the assessing authority.

(4) An order made under sub-rule (3) shall, if not announced in the presence of the owner of the urban land concerned or his authorised agent, be notified to him by post under a certificate of posting.

14. *Finalisation of the assessment list.*—(1) When all the objections duly filed have been decided and all necessary corrections, revisions and modifications resulting therefrom have been made in the provisional assessment list, the same shall be authenticated by the assessing authority by signing the following certificate:—

Certificate

“Certified that all objections duly made have been decided and the foregoing list has been duly revised and modified to the extent necessitated by the decision of the said objections.

Dated :

(Signature of the assessing authority)  
Urban area .....

(2) The assessment list so finalised shall be deposited in the office of the assessing authority. A public notice in Form IV shall be published in the manner prescribed for the publication of the notice under sub-rule (2) of rule 8, stating that the final assessment list has been prepared and the same may be inspected by any person desirous of inspecting the same at the place and within the hours stated in the notice.

(3) Every correction, modification or addition made in the list in accordance with the provisions of section 11 or section 12, or as a result of the decision of an appeal under section 16, or of any order under section 19, shall be authenticated by the signature of the assessing authority.

15. *Amendment of the list in certain cases.*—(1) A correction made in exercise of the powers conferred by clause (i) and (ii) of sub-section (1) of Section 11 shall, if not announced in the presence of the owner of the urban land concerned or his authorised agent, be notified to him by post under a certificate of posting.

(2) The procedure laid down in rules 9 to 11 and 13 and 14 shall, as far as may be, be allowed in making every addition to, or correction in, the assessment list under clause (iii) of sub-section (1) of section 11.

(3) Every amendment, correction, modification or addition made under section 11 shall be authenticated by the initials of the assessing authority in ink and, subject to the result of any appeal under section 16 or any revision under section 19, shall take effect from the date on which the next instalment falls due.

16. *Supply of information by the owner in certain case.*—(1) The notice required to be given by the owner under section 14 shall be in writing addressed to the assessing authority and

shall be delivered at his office in person or through agent or by registered post.

(2) The notice shall contain the following particulars, namely:—

- (i) the name and full address of the owner of the building;
- (ii) the description of the building sufficient for its identification;
- (iii) whether the building has been built, re-built or enlarged;
- (iv) extent of building, re-building or enlargement undertaken;
- (v) date on which building, or re-building or enlargement was completed.
- (vi) date on which building has been occupied.

17. *Payment of tax.*—The urban land tax shall be payable to the assessing authority, or such other authority as may, under sub-section (1) of section 15, be appointed by the State Government in this behalf in two equal instalments payable on or before the 1st day of February and the 1st day of July.

18. *Mode of presenting appeals under the Act.*—A memorandum of appeal may be presented to the appellate authority by the appellant or his agent or it may be sent to the appellate authority by registered post.

19. *Verification of memorandum of appeal.*—The memorandum of appeal shall be signed by the appellant or by his authorised agent and shall be verified at the foot by the appellant or his agent. The person verifying shall state that not less than one-half of the tax assessed and payable has been paid and that, to the best of his knowledge and belief, the facts set out in the memorandum are true.

20. *Service of notice.*—A notice, including a notice of demand, under the Act shall be served on the assessee in the same manner as is prescribed in rule 11 for the service of notice thereunder.

### FORM I

(See rule 7)

Assessment list for the tax levied under the Rajasthan Urban Land Tax Act, 1964 (Rajasthan Act 18 of 1964) in respect of ... .. (name of urban area) for the period... .. to ... ..

S. No.	Name of street or mohalla, etc. in which the urban land is situated.	Description of urban land by name or number	Name and address of the owner (and agent, if any.)	Name of occupier (s)
1	2	3	4	5

Market value.	Amount of tax assessed.	Result of appeal, if any		Result of revision, if any		Remarks including reference to orders in case of sub - sequent increase or decrease.
		Market value	Tax	Market value.	Tax	
6	7	8	9	10	11	12

Entries to be made by hand at the end of the assessment list from year to year.

	Rs.	P.
(1) Total original assessment....	....	....
Increase or decrease during the year 19....		
(2) Total assessment for the year 19 ..		
Increase or decrease during the year 19....		
(3) Total assessment for the year 19 ..		
Increase or decrease during the year 19....		
(4) Total assessment for the year 19 ..		
Increase or decrease during the year 19....		
(5) Total assessment for the year 19 ..	....	....
Increase or decrease during the year 19....		

**FORM II**  
(See rule 10)  
**Register of Objections**

S. N.	Date of receipt of the memorandum of objection	S.N. in the assessment list	Assessment (Taxable value) Objected to	Description of the deciding officer with signature and date of decision	Remarks
1	2	3	4	5	6

**FORM III**  
(See rule 11)

From

The Assessing Authority,

....  
(Name of urban area)

To

....  
....



No.....

Date.... ..

Sir,

I have the honour to inform you that your objection relating to the assessment of urban land .....No.... situated at.... will be considered and decided by the Assessing Authority on.... (date) at.... (place)

You are hereby informed that in case you or any authorised agent on your behalf fails to present himself at the aforesaid date and place for supporting the objection, the objection shall be liable to be considered and decided *ex parte*.

Yours faithfully,  
Assessing Authority.

## FORM IV

[See Rule 14 (2)]

It is hereby notified for the information of all concerned that the final assessment list for the.... (name of the urban area) in respect of the tax levied under section 3 of the Rajasthan Urban Land Tax Act, 1964 (Rajasthan Act 18 of 1964) has been prepared and may be inspected by any person desirous of inspecting the same, at.... (place) between.... and.... (dates) during office hours.

Assessing Authority....  
(Name of urban area)

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 20-5-65—Page 106(26)]

*Notifications under*

**RAJASTHAN URBAN LAND TAX ACT, 1964**

Revenue (B) Department

Jaipur, May 6, 1965.

Notification No F. 6 (114) Rev. B/64.—In pursuance of clause (2) of section 2 of the Rajasthan Urban Land Tax Act, 1964 (Rajasthan Act 18 of 1964), the State Government hereby authorises the sub-Divisional Officer to make assessment of the tax under the said Act within the area of his jurisdiction.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 20-5-65—Page 106(2)]

Revenue (B) Department

Jaipur, May 6, 1965.

Notification No. F. 6 (114) Rev. B/64.—In exercise of the powers conferred by section 3 of the Rajasthan Urban Land Tax Act, 1964 Raj. Act 18 of 1964), the State Government hereby declares that the rate of the urban land tax shall be 0.25 per cent of the market value of the urban land as determined under section 4 of the Act.

[ Pub. in Raj.Gaz. 4 (Ga)—Dt.20-5-65—Page 106 (25)]

Revenue (B) Department

Jaipur, May 6, 1965

Notification No. F. 6 (114) Rev. B/64.—In exercise of the powers conferred by clause (1) of section 6 of the Rajasthan Urban Land tax Act, 1964 (Rajasthan Act 18 of 1964), the State Government hereby orders that in order to secure exemption under the said clause of the said section of the Act the market value of the urban land should not exceed rupees three thousand.

[Pub. in Raj. Gaz. 4 (Ga)—Dated 20-5-65—Page 106 (25) ]

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*Rules and Notifications under*

VACCINATION ACT, 1957.  
( RAJ. ACT, No. 17 OF 1957 ).

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# The Rajasthan Vaccination Rules, 1958.

Medical & Public Health Department Rajasthan Jaipur

## NOTIFICATION

Jaipur, February 27, 1959.

No. F. 1 (I) (10) MPH./57/A/ACT.—In exercise of the powers conferred by section 17 of the Rajasthan Vaccination Act, 1957 (Rajasthan Act, No. 17 of 1957), the State Government hereby makes the following rules, namely:—

## RULES

1. *Short Title, Extent and Commencement.*—(1) These rules may be called the Rajasthan Vaccination Rules, 1958.

(2) They extend to the whole of the State of Rajasthan.

(3) These rules shall come into force on the date of their publication in the Official Gazette.

### Notes

The Rajasthan Vaccination Act, 1957 has been enacted for making the vaccination of children compulsory. Sub-section (1) of section 17 of the Act authorises the State Government to make rules, consistent with the Act, for the proper enforcement thereof. Without prejudice to the generality of this power such rules are required to provide for—

- (a) the demarcation of vaccination circles under section 4;
- (b) the appointment of a place in each vaccination circle as a public vaccination station;
- (c) the posting of some distinguishing mark in a conspicuous place near such station;
- (d) the qualifications to be required of vaccinators;
- (e) the authority competent to appoint, suspend and dismiss vaccinators;
- (f) the time of attendance of vaccinators at the vaccination stations and their residence within the limits of vaccination circles;
- (g) the distinguishing mark or badge to be worn by them;
- (h) the amount of fees chargeable under section 14 and the guidance of vaccinators generally in the performance of their duties;
- (i) the facilities to be afforded to people for procuring the vaccination of their children at their own houses;
- (j) the grant and form of certificates of successful vaccination, of unfitness for vaccination or of insusceptibility of vaccination;
- (k) the nature of the lymph to be used and the supply of a sufficient quantity of such lymph;
- (l) the fee to be paid to a vaccinator for vaccinating a child at a place outside the vaccination circle at the request of the parent or guardian of the said child;
- (m) the preparation and keeping of registers showing—
  - (i) the names of children born in each vaccination circle,
  - (ii) the names of unprotected children in each such circle,
  - (iii) the result of each vaccination or its postponement,
  - (iv) the delivery of certificates, if any;
- (n) the preparation of vaccination reports and returns; and
- (o) other matters which may be, or are required to be, prescribed.

2. *Definitions.*—In these rules:—

(1) 'Act' means the Rajasthan Vaccination Act, 1957,

(2) 'Appendix' means an Appendix to these rules,

(3) 'Form' means a form given in Appendix 'C' to these rules.

3. *Vaccination Circle.*—The State of Rajasthan, for the purpose of vaccination, shall be so divided into circles that each Tehsil will have at least one vaccinator. Each circle will at least be allotted to one vaccinator for the purpose of performing the vaccination operations. The arrangements of the vaccination circles will be as per appendix A.

Notes.

Section 4 of the Act requires demarcation of each district into as many vaccination circles as may be necessary.

4. *Vaccination Season.*—The vaccination season will start from 1st October to 30th April of the subsequent year. The vaccinations can be done at all times and at every place if threatened with the out-break of small-pox.

5. *Public Vaccination Stations.*—(1) At each district head-quarter, tehsil town or the headquarter of vaccinator in his circle, the offices of D.M.H.O, District Health Officer or Assistant Health Officer and Vaccinators' residence shall be utilised as Public Vaccination Stations.

(2) In villages, offices of the Gram Panchayats or places of Patwari, Sar-Panch, Panch, Village Hatai or Chopal or the halting place of a vaccinator shall be the public vaccination stations.

(3) In municipal areas, the Municipal Boards will provide a vaccination centre at a convenient and prominent place including the office of the Municipal Board.

(4) Premises of hospitals and dispensaries in large cities may also be utilized as public vaccination stations.

6. *Distinguishing mark at Public Vaccination Station.*—A conspicuous signboard will be put up at each public vaccination station stating therein the name of vaccination station and the hours of work, which should be as under:—

Summer	Morning 7.30 a.m. to 11.30 a.m.
	Evening 5.00 p.m. to 7.00 p.m.
Winter	Morning 8.00 a.m. to 11.00 a.m.
	Evening 4.00 p.m. to 5.30 p.m.

7. *Qualification of vaccinators.*—(1) Any person to be appointed as vaccinator shall have the minimum basic qualification of 8th Class passed and shall have undergone a training in vaccination work for atleast 3 months under a Superintendent of Vaccination or Assistant Director of Health Services who shall certify that the candidate has undergone the requisite training of a vaccinator and is competent to perform the operations of vaccinations.

(2) Qualified Sanitary or Health Inspectors, Assistant Health Officers, District Health Officers, Health Officers of the Municipalities, District Medical & Health Officers, Principal Medical & Health Officers, and Assistant Directors of Health Services, may act as vaccinators, as and when so required during the course of their routine duties or during emergencies or threatened epidemics.

(3) Licensed Vaccinators.—The Director of Medical & Health Services, may by granting written licence, authorise private vaccinators to perform vaccination in any vaccination circle during epidemics and may suspend or cancel any such licence.

Notes.

Section 6 of the Act authorises the licencing of private vaccinators to perform vaccination in any vaccination circle.

8. *Authority competent to appoint, suspend and dismiss Vaccinators.*—The authority competent to appoint, suspend and dismiss vaccinators would be the one who has been delegated such powers under the classification, control and appeal rules of the Rajasthan Government.

9. *Distinguishing mark or badge to be worn by the vaccinator.*—The vaccinator while on duty shall wear the specified badge, as is supplied from the Department.

10. *Fees to be charged by a public vaccinator.*—(1) No fees shall be charged by a vaccinator from the parent or guardian for the performance of vaccination or for the inspection of vaccination. A licensed vaccinator may charge a fee of Re. 1/- only both for vaccination and inspection.

(2) It shall, however, be lawful for a vaccinator to accept a fee of Re. 1/- for vaccinating a child on request of the child's parent or guardian at the latter's residence at a time best suited to such parent and guardian. This fees includes the subsequent visit for inspection purposes.

(3) In case a vaccinator is required to perform vaccination operation to a child outside his circle, on request of the parent or guardian, he will be entitled for an enhanced fee of Rs. 2/- and the conveyance facilities on either ways or mileage charges as per Government rules, from the parent or guardian.

11. *Duties of a vaccinator.*—A vaccinator shall perform all such duties that may be prescribed from time to time by the orders of the Director of Medical & Health Services, and shall abide by all instructions that may be given to him by his higher authorities. The duties of the vaccinators so far prescribed are as per appendix B.

12. *Facilities to be afforded for procuring vaccination of their children at their own houses.*—(1) The vaccinators will tour in their circles from village to village as per their tour programme to be drawn in advance to offer vaccinations to the children in villages.

(2) They will also make house to house visits in their respective circles in divisional or district headquarters which should form a part of whole of their circle during off hours, from their duties at the public vaccination centres, to afford vaccinations to children at their houses.

#### Notes

Rules 10 and 12 are meant to cover the matters referred to in section 14 of the Act which reads as under:—

No fee shall be charged by any vaccinator except a licensed vaccinator to the parent or guardian of any child for the performance of vaccination or of any other duty imposed on him except as provided by this Act or the rules made thereunder:

Provided that, it shall be lawful for a vaccinator to accept a fee for vaccinating a child by request of the parent or guardian at the latter's residence or at a time best suited to such parent or guardian or at a place outside the vaccination circle for which such vaccinator is appointed.

13. *Grant and form of certificates.*—(1) A vaccinator will grant certificates for successful vaccination for unfitness of vaccination or for un-susceptibility of the vaccination in the respective forms H 12 and H 12 A.

(2) Such certificate except for unsusceptibility may be issued collectively in forms H 9 and H 20 for all children of the village which should be left with the village Headman.

#### Notes

Sections 9, 10 and 12 of the Act prescribe the procedures where vaccination is successful, unsuccessful and insusceptible respectively.

(3) The form of notice required to be served on the parent guardian under section 15 of Act is as per Form H 13.

#### Notes.

Section 15 of the Act provides that when Superintendent of vaccination has reason to believe that the parent or guardian of any child has omitted to procure the vaccination of child or present him or her for inspection, he may issue a notice requiring that the child be vaccinated or be presented for vaccination. This rule prescribes the form of such notice.

14. *Nature of Lymph.*—(1) The vaccinator will perform vaccinations with the lymph obtained from Government Vaccine Depot, Patwa Dangar, Nanital or from any other Govt. Vaccine Depot in the country if so approved by the Director of Medical & Health Services.

2. It will be the duty of the vaccinator to compile and submit his lymph indents to the administrative unit officers for supply in such quantities weekly, or fortnightly so that he may be able to offer vaccinations to all unprotected children in his circle during the vaccination season.

3. While compiling such indents, he will make provision of additional quantity of lymph for revaccinations which he should perform at least  $1\frac{1}{2}$  times the number of estimated primary vaccinations in his circle. The administrative officers will clearly scrutinize the indents of the vaccinator and will make necessary additions or

alternations in the indents to enable the vaccinators to perform the estimated number of vaccinations effectively including the re-vaccinations.

4. The vaccinator will make adequate arrangements for the receipt of lymph through the Post Office or by other means as may be convenient, and would utilize it at his earliest opportunity so that the lymph may not suffer impotency and whereby be wasted. If lymph is wasted without any adequate reasons, half the cost of the wasted lymphs will be recovered from the vaccinator.

5. The lymph as far as possible will be kept in a cool place or in therms if so required.

#### Notes.

This rule is meant to put into effect the requirements of section 13 of the Act which reads as under:-

The vaccination of a child shall ordinarily be performed with such lymph as may be prescribed by rules made under this Act:

Provided that if animal lymph is so prescribed and the parent or guardian of any child desires that such child shall be vaccinated with human lymph, it shall be so vaccinated.

15. *Preparation and keeping of Registers.*—(1) The vaccinator will maintain a list of all the children born in his vaccination circle during the year. Such a list should be prepared either from the Birth Register maintained by the Registrar of Births and Deaths or by making personal enquires in the villages.

(2) In addition he will prepare a list of such other children who are unprotected in his circle for offering them timely protection by vaccinations.

(3) He will maintain record of all the children vaccinated in the prescribed registers primary vaccination in the prescribed register as per form H6 and revaccinations in form H21.

(4) He will also maintain a list of children found unfit for vaccinations and where of the vaccination operation is postponed only to be performed at a later date as soon as the children are found fit for such an operation in Form H. 9.

(5) Likewise he will maintain the lists of all children who were vaccinated unsuccessfully and are required to be vaccinated again as soon as possible.

(6) If a child has exhibited unsuccessful results even after three vaccination operations, the vaccinator should submit a report to the Superintendent of Vaccination having jurisdiction over his circle, who shall deliver to the parent or guardian of such a child a certificate in his hand to the effect that the child shall not henceforth be required to be vaccinated.

(7) The vaccinator will prepare the weekly, fortnightly, monthly and yearly returns as per forms H5 H7, H8 and will submit them to the respective administrative authorities in time as prescribed in the lists of their duties.



16. Ordinarily a vaccinator would not be granted any privilege leave during vaccination season unless it is so required under medical certificate.

17. A vaccinator if suffering from any infectious, contagious or loath some disease, shall be put off duty until he is certified by a registered medical practitioner to be cured, and will be granted leave as per leave rules.

18. Any misconduct on the part of vaccinator including illegal gratification or repeated wastage of lymph without adequate reasons, will earn him severe disciplinary action.

By Order of the Governor,  
S. P. SINGH BRANDARI,  
Secretary to Government.

### APPENDIX A (See Rule 3)

#### Vaccination Circles.

#### AJMER DIVISION

#### AJMER DISTRICT

Circle of Vaccinators 1	Number of villages 2	Population. 3
Ajmer	34	26113
Harmara	49	29675
Nasirabad	68	28559
Ramsar	33	18346
Kekri	40	34905
Deoli	19	12701
Sarwar	33	26841
Bhinai	66	33855
Bijainagar	33	27420
Masuda	83	31478
Saradhna	29	21325
Pisangan	41	34565
Puehkar	26	26720
Beawar	98	35939
Jawaja	84	21835
Todgarh	42	12794

#### JAIPUR DISTRICT

Sambhar	101	40145
Naraini	99	33383
Phulera	110	55325
Phagi	101	39190
Mozamabad	107	25588

Sanaganer	110	33060
Bassi	104	36255
Sanaganer	108	31385
Chaksu	139	28828
Chaksu	138	33327
Chomu	92	62200
Amber	129	51099
Jamwa Ramgarh	123	40449
Jamwa Ramgarh	122	42000
Bairath	88	65076
Shahpura	88	56362
Kotputli	89	40880
Dausa	102	28596
Sikarai	111	55886
Lawn	103	37200
Lalsote	136	39253
Lalsote	119	57937
Baswa	115	40567
Bandikui	79	52686

## ALWAR DISTRICT

Alwar City	Alwar City	57868
Alwar North	124	51300
Alwar South	91	49129
Ramgarh	123	43038
Rajgarh East	115	63838
Rajgarh West	124	41217
Thana Gazi	143	47045
Laxman garh	147	55152
Kherli	125	63128
Tijara	101	35419
Kishangarh Bas	151	63025
Mandawar	108	54321
Kotkasim	142	41350
Behror	105	61216
Bansar	122	61216
Mindahu	100	52742

## SIKAR DISTRICT

Sikar	6	44160
Sikar	85	49073
Lohmangarh	104	68043
Fatehpur	120	59833
Losal	62	44359
Danta Ramgarh	74	48870
Shri Madhopur	47	47460
Reengus	53	50895
Ajit Garh	50	51091

Nim-ka-Thana	85	71173
Khandela	101	60590
Jhunjhunu	101	78658
Nawalgarh	28	67196
Khetri	68	63958
Singhana	125	74828
Pilani	91	64162
Chirawa	71	58730
Makandgarh	100	61198
Mukandgarh	74	50349
Udaipurwati	59	72583

## KARALI DISTRICT

Karali City	1	19148
Karali Tehsil	98	37305
Machgpur	76	24613
Mandrail	91	28671
Sapotra	100	49316
Hindaun City	85	60057
Hindaun Tehsil	90	57822
Mahwa	119	51233
Toda Bhim	105	61536
Gangapur	114	73532
Bamanbas	93	39737
Nodanti	83	44535
Malrana Doonger	77	31964
Bonli	97	44968
Sawai Madhopur	102	49558
Chothka-Barwara	96	51174
Khandor	115	37341

## TONK DISTRICT

Tonk City	1	27512
Sader	133	27512
Bagri	133	44391
Newai	165	50957
Aligarh	173	48323
Malpura	134	57619
Toda-Raisingh	127	56406
Duni	125	86408

## BHARATPUR DISTRICT

Bharatpur City	1	37321
Chiksana	100	32896
Kotwali	95	31526
Uchain	104	45631
Bayana	101	50736
Rupbas	78	34400
Weir	86	38538
Bhusawar	65	40000

Nadbai	97	33896
Kumher	92	46496
Deeg	108	47974
Kaman	84	44833
Pahari	117	35607
Nagar	90	52890
Sikri	100	3800

## DHOLPUR DISTRICT

Sadar Circle	55	31176
Gird Circle	115	49996
Bari Circle	108	57629
Bassan Circle	116	43276
Shri Mutha Circle	274	51283
Sapau Circle	188	45448
Rajra Khera Circle	147	14283

## JODHPUR DISTRICT

Jodhpur City A	$\frac{1}{3}$ of Jodhpur City	60299
Jodhpur B	-do-	60299
Jodhpur C	-do-	60299
Shergarh	70	56316
Jodhpur West	112	51201
Tipar City	88	26540
Fhalodi	58	64771
Jodhpur East	129	48034
Bhopal Garh	74	41563
Lohawat	63	47697
Pokaran	84	60360
Jaisalmar	417	80975
Osian	88	48799

## PALI DISTRICT

Nadoli	110	57327
Bali	107	1,04407
Raipur	89	50351
Pali North	67	36697
Pali South	80	39000
Jaitaran	82	59583
Rani	92	74118
Sojat	116	67771
Kharohi	110	85100

## JALORE DISTRICT.

Jalore	96	79445
Siwana	89	62700
Pachpadra	105	44165
Ahore	-97	68450

Sanchore East	73	27317
Sanchore North	75	23880
Jaswantpura	76	45484
Baitu	83	47125
Bhinmal	84	54971
Bagoda	87	60000
Sheo	74	32350
Barmer	68	47425
Gurangar	81	39509
Sanchore South	88	23907
Ramsar	83	23325
Jasol	75	50525
Choutan	77	54375

## NAGAU R DISTRICT.

Jail	88	43892
Parbatsar	93	57975
Mundwa	87	50322
Nawa	77	46817
Degana	78	37856
Bisni	88	51050
Nagaur	84	44452
Rian	71	44517
Ladnun	109	50304
Didwana	121	60500
Makrana	99	57256
Merta-Road	108	36458
Merta-City	96	36142
Kuchaman-City	76	54825

## SIROHI DISTRICT.

Sirohi	77	66655
Abu-Road	84	52405
Pindwara	95	62180
Sheoganj	82	58431
Anadara	102	63140

## KOTAH DIVISION.

Kotah	$\frac{1}{2}$ Kotah	40000
Kotah	$\frac{1}{2}$ Kotah	40000
Ladpura	140	42000
Kanwas	113	44000
Sangod	109	42000
Digod & Barod	157	50000
Antah	79	42000
Ramganj Mandi & Chechta	158	50000
Itawa & Mangrol	139	42000
Atru	121	46000
Chippaharod	180	44000
Kishanganj	149	36000

Shahbad	125	32000
Indergarh	168	43000
Baran	95	58000
Chabbra	198	40000

## BUNDI DISTRICT,

Bundi	135	34448
Talera	143	40104
Nainwas	165	55712
Hindoli	131	51484
K. Raipatan	165	71770

## UDAIPUR DIVISION (BHILWARA DISTRICT).

Bhilwara Proper	1	40000
Bhilwara Tehsil	132	69397
Mandal	165	77000
Badnore	108	23000
Shahpura	126	40037
Gulabpura	121	36299
Bijolayan	135	25399
Jaipur	182	73768
Asind	126	55975
Mandalgarh	190	31076
Kotri	141	50404
Gangapur	97	58354
Banera	137	50341
Raipur	140	48300

## DUNGARPUR DISTRICT.

Dungarpur 'A'	73	32959
Dungarpur 'B'	114	38988
Sagwara	138	63386
Galiakot	119	37087
Simalwara	115	40653
Bankoda	116	51850
Bichiwara	136	43142

## UDAIPUR DISTRICT.

Nathdwara	*6190	61064
Khamnore		43559
Mavli	119	75584
Bhopalgarh	81	32703
Rajsamand	142	62586
Railmagra	94	48913
Kumlahalgarh & Charbhujia	160	59756
Amet	140	40418
Bhim	94	54561
Deogarh	132	37362

Jhadolia	170	22041
Kotra	248	44133
Gogunda	126	52432
Salumber	208	69767
Sarara	150	58256
Dharyamad	238	55632
Lasadia		
Rakhebdaji	195	66758
Kherwara		
Girwa		
Udaipur	204	188661
Vallabhnagar	268	93359
Bhinder	123	33685
Udaipur City		
"	1	1,21,000
"		

## CHITTORGARH DISTRICT

Pratabgarh	364	67910
Aohner	168	35963
Nimbhera	122	44339
Bari-Sadri	262	75414
Chotti-Sadri	134	38865
Chittorgarh	276	90568
Kapasin	180	83090
Begun	248	44478
Bhesorgarh	195	27355
Bhadesar	184	71805

## BANSWARA DISTRICT

Kushalgarh	378	66137
Bagidora	277	70070
Garhi	167	65523
Ghantol	316	70143
Banswara	30	23322
Banswara	131	27738
Khandu	164	32379

## BIKANER DIVISION

Bikaner Town Circle		29700
-do-	1	29369
-do-		29237
-do-		29107
Bikaner Tehsil	150	79159
Nikha Tehsil	124	66147
Magra Tehsil	182	35005
Lunkaransar Tehsil	171	39726

## GANGANAGAR DISTRICT

Shri Ganganagar	175	82858
Padampur	239	63629
Rai Singhnagar	276	57978
Shri Karanpur	169	70329
Anopgarh	121	29235
Suratgarh	141	53160
Nohar	151	94446
Hanumangarh	157	1,18,133
Bhadra	105	65105
Ganganagar	1	50000
Ganganagar	For Hospital	

## CHURU DISTRICT

Ratangarh Town	8	30000
Ratangarh Rural	87	43850
Churu Town	1	40047
Churu Rural	98	65126
Rajgarh	211	87191
Taranagar	109	44834
Sardarshahr Town	6	30000
Sardarshahr Rural	164	41060
Sujangarh Town	6	30000
Sujangarh Rural	138	53834
Chapar	6	8742
Bidasar	3	10643
Dungargarh	91	51743

APPENDIX B (*vide rule 11*)*Duties of Vaccinators*

I. During Vaccination Season (from 1st of October to 31st March each year).

1. He will perform vaccination against small-pox in his allotted circle or in areas even outside his circle as and when so directed.

2. He shall visit by rotation every village in his circle for which purpose, before he proceeds on tour, he would prepare a provisional monthly tour programme week-wise of his journeys showing the names of the villages in which he will perform the vaccination.

(b) He will indicate his time to time postal addresses where he would receive his lymph.

(c) Four copies of the programme will be prepared, one to remain on his records, one to be sent to circle S I., one to District Medical & Health Officer/Assistant Health Officer and one copy to be sent to the Assistant Director of Health Services of the Division.

(d) The vaccinator, as far as possible; will always stick to his tour programme. In case he has to change, he will only do so with



the prior permission of his immediate officer. In case of emergency, he would proceed to attend to it with a report to his immediate officer indicating the cause of emergency.

3. He will keep all the equipment clean and in order.

4. When on duty he will wear an approved badge.

5. He will keep a daily diary of his work, wherein he will enter the details of the work done by him. He will maintain all his prescribed records and registers up-to-date and will neatly and clearly enter all the particulars of the vaccinations performed by him primary.

6. He will inspect and enter the result of his vaccination work within a fortnight.

7. He will use every possible means in pursuance of his work to induce the villagers to have their children vaccinated by explaining to them the nature, objects and benefits of vaccinations.

8. He will report at once, of any outbreak of small-pox which he may come across in a village during his tour and take intensive measures to control its spread. Such a report is made to S.I., Assistant Health Officer and Assistant Director of Health Services, having jurisdictional control on his circle.

9. He will leave a list of vaccinated children with the Patel or Headman of the village and a note about the name of the Patel to whom the list is handed over, will be made in his weekly reports and registers wherever provided for.

10. On the 1st, 9th, 17th and 25th day of each month, a vaccinator should compile a weekly return of the work done by him in the prescribed form, and submit it to his immediate superior, the Assistant Health Officer/Assistant Director of Health Services. If fortnightly then 17th of the month and 2nd of the next month.

11. On the 10th of each month, he shall compile a monthly return in the prescribed form and submit it to his immediate superior.

12. At the end of the calendar year, he will submit an annual statement of the work done by him in the prescribed form No. 8 to Assistant Health Officer/Assistant Director of Health Services ?

13. He will perform all the duties imposed upon him by the Rajasthan Vaccination Act, 1957 and by rules framed thereunder.

14. He will carry out Birth and Death Registration work in his circle villages during off season and check and compare the entries of births and deaths registers if kept by the Patel or Patwari and report omissions, if any.

15. Alongwith his tour programme he will submit his lymph indent for the next month, weekly or fortnightly supply as required; stating the quantity required as per estimated vaccinations of the village he should be visiting.

(b) He will intimate any changes in his lymph requirements in advance so as to reach his circle supply office at least a day in advance of the day fixed for despatch of lymph.

16. (a) A vaccinator is expected to perform at least 3,000 primary vaccinations in a season and should uniformly spread over his work, performing at least 400 vaccinations in each month. Besides, he will do as many revaccination as he could depending upon the population of his circle.

(b) Cost of lymph wasted by a vaccinator, if such wastage is not satisfactorily explained shall be recoverable from the vaccinator. The delayed use of lymph without adequate reasons whereof more than 50% of primary vaccinations becoming unsuccessful, will amongst other causes, will be deemed to have been wasted.

Lymph tubes found broken at the time of taking delivery at post offices should be got certified by the Post Master and this certified report should be submitted to the circle supply officer immediately.

17. He will get a certificate from the village Patwari, Patel or Headman each time he visits it, to the effect that he has vaccinated all available unprotected children in that village.

## II. During non-vaccination season.

1. He will compile a list of the children who are to be protected against small-pox. This he will prepare from the records of Vital Statistics obtainable from the Patel, Patwari or the Tehsil or by enquiry on the spot from the Dai, the Gaon Balai or such other persons as would help him in tracing such children.

2. He will attend to Sanitary duties for arranging the cleaning of villages and will carry out publicity on Health Education and will arrange to establish on small scale Health Exhibition,  $\frac{1}{2}$  the expenses of which should be collected from village funds in association with the Sanitary Inspector.

3. He will carry out disinfection of wells.

4. He will undertake anti-malaria and other anti-epidemic measures in his circle as per instructions from his immediate officer.

5. During fair duties, he will carry out Sanitary duties and will guard the water sources to prevent them from being polluted or contaminated.

6. He will carry out as many primary vaccinations during fairs and mass scale revaccinations as far as possible.

7. He should be on tour for 20 days in a month during working season and 15 days during off season according to a programme approved in advance by his district officer.

8. He will pick up inoculation work too *e.g.* against cholera during off season by working in hospitals and dispensaries in his circle or Headquarters town.

9. If required he will attend to refresher's course during off season as and when directed.

10. He will carry out any other duties assigned to him from time to time.

### III-Working hours.

For such of the vaccinators as are deputed for work in municipal area only, the hours of work shall usually be:—

Morning	Office	Evening.
Summer 7.30 a.m. to 11.30 a.m.	12 noon to 1 p.m.	5 p.m. to 7 p.m.
Winter 8 a.m. to 11 a.m.	2.30 p.m. to 3.30 p.m.	4 p.m. to 5.30 p.m.

*Notifications under*

**Rajasthan Vaccination Act, 1957**

*Published in Raj. Raj-patra part II (a) dated May 4, 1961 at page 28:*

*Bhilwara, February 10, 1961.*

No. J 530-44—In exercise of the powers conferred on me by section 16 of the Rajasthan Vaccination Act, 1957, I, G. K. Bhagat, District Magistrate, Bhilwara do hereby empower all the Sub-Divisional Magistrates of District Bhilwara, City Magistrate, and the First Class Magistrate, Bhilwara/Jahazpur to take cognizance of offences under the aforesaid Act, ( Rajasthan Vaccination Act 1957 ) within their respective jurisdiction.

G. K BHAGAT,

District Magistrate Bhilwara.

*Published in Raj. Raj-patra part II (a) dated March 1, 1962 at page*

In the Court of the District Magistrate Jaisalmer.

**ORDER**

*Jaisalmer, January 30, 1962.*

No. Jud./182—In exercise of powers conferred upon me under section 16 of Rajasthan Vaccination Act, 1957, I.R Mookrjee I.A.S. District Magistrate Jaisalmer hereby appoint the Sub-Divisional Magistrates of Jaisalmer and Pokaran to receive the challans for refusal to get vaccinated against small pox in their respective jurisdictions.

R. MOOKERJEE,

District Magistrate Jaisalmer.

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*Rules and Notifications under*

WAKES ACT, 1954.  
( CENTRAL ACT No. 29 OF 1954 )

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# THE RAJASTHAN WAKF RULES, 1956.

Judicial Department

## NOTIFICATION

Jaipur, December 8, 1956.

No. D. 126/F. 18 [87]-LJ/A/55—In exercise of the powers conferred by sub-sections [1] and [2] of section 67 of the Wakf Act, 1954 [Central Act 29 of 1954], the Government of Rajasthan hereby makes the following rules, namely:—

### Notes.

Section 67 of the Wakf Act, 1954 on the authority of which these rules have been framed reads as under:—

(1) The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality, of the foregoing power, such rules may provide for all or any of the following matters, namely;—

(a) the particulars which a list of wakfs published under sub-section (2) of section 5 may contain;

(b) the conditions and restrictions subject to which the Board may transfer any property;

(c) the regulation of the functions of the Board;

(d) the terms and conditions of service of the Secretary of the Board;

(e) the manner in which any inquiry may be held under this Act;

(f) the powers vested in a civil court which may be exercised by the Board or the Commissioner or any other person while holding an inquiry under this Act;

(g) the form in which a register of wakfs may be maintained and the further particulars which it may contain;

(h) the form in which, and the time within which, the budget of the Board may be prepared and submitted by the Board and approved by the State Government;

(i) the manner in which the accounts of the Wakf Fund may be kept and audited and the contents of the auditor's report;

(j) the payment of moneys into the Wakf Fund, the investment, custody and disbursement of such moneys;

(k) the circumstances under which, and the terms and conditions on which, the Board may be allowed to borrow;

(l) the circumstances in which, and the conditions subject to which, the Board may reduce or remit the contribution payable in respect of a wakf;

(m) the procedure to be followed in the recovery of any sum due under this Act as an arrear of land revenue;

(n) any other matter which has to be, or may be, prescribed.

### Preliminary.

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Wakf Rules, 1956.

(2) They shall come into force on such date as may be appointed in this behalf by the State Government.

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*These rules have been first published in Rajasthan Raj-patra dated March 13, 1956 part IV (c) at page 333.*

2. *Definitions.*—In these rules, unless the context otherwise requires—

- (a) "Act" means the Wakf Act, 1954 (Central Act 29 of 1954);
- (b) "Form" means a form appended to these rules;
- (c) "section" means a section of the Act.

Section 4 (3) (f).

*Notes.*

Section 4 of the Act requires the appointment of a Commissioner of wakfs for the purpose of making a survey of wakfs properties. Sub-section (3) of section 4 requires that the inquiry report of the Commissioner shall contain the following particulars:—

- (a) the number of wakfs in the State, showing the Shia wakfs and Sunni wakfs separately;
- (b) the nature and objects of each wakf;
- (c) the gross income of the property comprised in each wakf;
- (d) the amount of land revenue, cesses, rates and taxes payable in respect of such property;
- (e) the expenses incurred in the realisation of the income and the pay or other remuneration of the mutawalli of each wakfs; and
- (f) such other particulars relating to each wakfs as may be prescribed.

Rule 3 prescribes the particulars as required under clause (f) of sub-section (3) of section 4.

3. *Particulars to be entered in the report of the Commissioner.*—The report to be submitted by the Commissioner of wakfs to the Government under section 4 (3) shall, besides other things, contain the following particulars in respect of each Wakf:—

- (1) description of the landed property including extent, classification, etc., and the value thereof;
- (2) description of the movable properties and value thereof, including investments and their particulars;
- (3) encumbrances, if any, on the properties mentioned in [a] and [b] above; and
- (4) how the wakf is administered at present; whether under a scheme settled by a court of law or by a registered document or established custom or usage.

Section 5 (2).

*Notes.*

Section 5 of the Act provides that:—

(1) On receipt of a report under sub-section (3) of section 4, the State Government shall forward a copy of the same to the Board.

(2) The Board shall examine the report forwarded to it under sub-section (1) and publish, in the Official Gazette, a list of wakfs existing in the State containing such particulars as may be prescribed.

4. *Particulars to be entered in the list of Wakfs.*—A list of wakfs published under section 5 (2) shall contain the following particulars:—

- (1) Name of wakfs (showing the Shia wakfs and Sunni wakfs separately).
- (2) District.
- (3) Tehsil.
- (4) Village.

(5) The nature and object of each wakf.

(6) The gross income of the property comprised in each wakf.

(7) The amounts of land revenue, cesses, rates and taxes payable in respect of such property.

(8) The expenses incurred in the realisation of the income, and the pay or other remuneration of the mutawalli of each wakf.

(9) Such other particulars as the State Government may, by order, prescribe.

## Section 22.

### Notes.

Board of Wakfs constituted under the Act can delegate its powers by an order as required under section 22 of the Act. This rule prescribes the procedure for the publication of the said order.

5. *Delegation of powers to be notified.*—Any order under section 22 delegating powers and duties of the Board to the Chairman or any other member or to the Secretary or any other officer or servant of the Board shall be published in the Rajasthan Gazette and a copy of the same shall also be affixed to the notice board.

## Section 45.

### notes.

Rules in this part prescribe the procedure of inquiry as required under sub-section (1) of section 45 of the Act. Section 45 reads as under:—

(1) The Board may, either on an application received under section 44 or on its own motion, institute an inquiry into any matter relating to a wakf and shall hold the inquiry in such manner as may be prescribed or authorise any person in this behalf to hold the inquiry.

6. *Notice of inquiry.*—(1) Notice of inquiry by the Board under section 45 shall be sent by registered post, acknowledgment due, to—

(i) the parties to the inquiry, and

(ii) the mutawalli of the wakf.

(2) A copy of the notice shall be published by affixture on the notice board of the office of the Board and in the office of the village head-man or in other conspicuous place in the locality in which the wakf property is situate. Such publication shall be deemed to be sufficient intimation to persons having any interest in the wakf property.

(3) Where the wakf property is situate in the city of Jaipur or in more than one district, a copy of the notice shall also be published in a newspaper having circulation in the locality or in the Rajasthan Gazette.

7. *Appearance and written statement.*—(1) All persons who appear in response to the notices issued under rule 6 shall, within the time fixed in the notice or within such further time as may be granted, file written statements, containing their objections or suggestions. The Board may, however, permit any person, who has not filed a written statement, to make representations at the time of inquiry.



(2) any party to the proceedings shall have a right to appear in person or by pleader, to adduce oral and documentary evidence and to apply for summoning witnesses or documents. The inquiring officer shall record the oral evidence of witnesses in his own handwriting.

8. *Provisions of the Code of Civil Procedure and General Rules (Civil) to apply.*—The provisions of the Code of Civil Procedure, 1908 (V of 1908) and the General Rules (Civil) 1952 shall apply, as far as practicable, to appearance of pleaders and to affidavit, production of documents, examination of witnesses, recording of oral evidence, proof by affidavits, filing of exhibits, issue of commissions, return of documents not admitted to evidence and other matters connected with the inquiry.

9. *Return of documents.*—(a) Any person desirous of receiving back any document produced by him at the inquiry shall, unless the document has been impounded, be entitled to receive back the same if the proceeding is one in which the order made is not liable to be questioned by a suit in a Court or if the time for filing the suit has elapsed without the suit being filed, or when a suit having been filed has been disposed of:

Provided that a document may be returned at any time earlier than that prescribed by this rule if the person applying therefor delivers to the Board a certified copy to be substituted for the original and undertakes to produce the original, if required.

(b) An application for the return of document shall give the date and description of the document, the number of the proceeding in which and the date on which it was produced and the exhibit mark it bears, and on the return of a document, a receipt shall be given by the person receiving it.

#### Section 46 (2).

##### Notes

Sub-section (1) of section 46 requires that:—

(1) The mutawalli of every wakf shall pay annually to the Board such contribution not exceeding five per cent. of the net annual income of such of its property as is situate in the State as the Board may, subject to the sanction of the State Government, from time to time, determine:

Provided that no such contribution shall be payable by the mutawalli of a wakf of which the net annual income does not exceed one hundred rupees.

Sub-section (2) of section 46 provides that:—

The Board may in the case of any particular wakf reduce or remit such contribution for such time as it thinks fit.

Rule 10 prescribes the circumstances under which action can be taken under sub-section (2) of section 46.

10. *Circumstances in which reduction or remission of contribution by a particular wakf may be granted.*—Reduction or remission of contribution by a mutawalli of a wakf shall not ordinarily be granted except in the following circumstances:—

(1) (i) Loss of money, stores and articles not due to the negligence of the mutawalli or other servants of the wakf;

- (ii) Loss of income due to failure of crops on account of drought or other unforeseen causes like cyclones or floods;
- (iii) paucity of funds due to the mismanagement of the previous mutawalli or mutawallis;
- (iv) paucity of funds due to non-recovery of loans, advances and debts; and
- (v) other unforeseen causes.

(2) Before a reduction or remission of contribution is sanctioned, the Board shall make a thorough investigation of the causes which rendered such reduction or remission necessary.

#### Section 47.

##### *Notes*

(1) The mutawalli of every wakf shall pay annually to the Board such contribution not exceeding five per cent. of the net annual income of such of its property as is situate in the State as the Board may, subject to the sanction of the State Government, from time to time, determine:

Provided that no such contribution shall be payable by the mutawalli of a wakf of which the net annual income does not exceed one hundred rupees.

(2) The Board may in the case of any particular wakf reduce or remit such contribution for such time as it thinks fit.

(3) The mutawalli of a wakf may realise the contributions payable by him under sub section (1) from the various persons entitled to receive any pecuniary or other material benefits from the wakf, but the sum realisable from any one of such persons shall not exceed such amount as shall bear to the total contribution payable the same proportion as the value of the benefits receivable by such person bears to the entire net annual income of the wakf:

Provided that if there is any income of the wakf available in excess of the amount payable as dues under this Act, other than as the contribution under sub-section (1), and in excess of the amount payable under the wakf deed, the contribution shall be paid out of such income.

(4) The contribution payable under sub section (1) in respect of a wakf shall, subject to the prior payment of any dues to the Government or any local authority or of any other statutory first charge on the wakf property or the income thereof, be a first charge on the income of the wakf and shall be recoverable, on a certificate issued by the Board after giving the mutawalli concerned an opportunity of being heard, as an arrear of land revenue.

(5) If a mutawalli realises the income of the wakf and refuses to pay or does not pay such contribution, he shall also be personally liable for such contribution which may be realised from his person or property in the manner aforesaid.

11. *Application for sanction for borrowing.*—(1) the Board shall, when applying to the Government for sanction to raise loans to meet its legitimate expenditure, furnish the following, besides other, particulars:—

- (a) the need for raising the loans;
- (b) the items of expenditure to which the loan is to be utilized;
- (c) the amount of the loan required;
- (d) the source from which the loan is proposed to be raised;
- (e) the rate of interest to be paid for the loan;
- (f) the period of repayment of loan and the number of instalments, if any in which it is to be re-paid;

- (g) whether it is proposed to mortgage any property in respect of the loan and, if so, details regarding the situation, nature, value, etc., of the property; and
- (h) the terms and conditions applicable to the transaction.

(2) If the State Government is convinced that the circumstances warrant the Board to raise the loan and that the terms and conditions are acceptable, it may grant the sanction.

#### Section 48 (2).

#### Notes.

Sub-section (1) of section 48 requires the formation of a fund to be known as "Wakf Fund". Sub-section (2) of section 48 provides that:—

(2) Subject to any rules that may be made by the State Government in this behalf, Wakf Fund shall be under the control of the Board.

The rules in this part are meant to meet the requirements of sub-section (2).

#### 12. Custody of moneys in the Wakf Fund and Investment:—

(1) The moneys received in the Fund shall be in the custody of the Chairman of the Board or such other member of the Board or Secretary, as the Chairman may appoint in this behalf.

(2) All such moneys shall be deposited in—

(i) a schedule bank as defined in the Reserve Bank of India Act, 1934, or

(ii) the Rajasthan State Co-operative Bank, Limited, or

(iii) a Post Office Savings Bank.

(3) All such deposits shall be made in the name of the Board. The Chairman of the Board or any other person appointed by him in this behalf, shall have power to withdraw such deposit or any part thereof and operate on the bank accounts.

(4) No money shall be withdrawn from the bank unless it is required for immediate payment for the purposes of the Board.

(5) Any money which is not required for immediate expenditure shall be invested—

(a) in one or other of the following securities:—

(i) Promissory notes, debentures, stocks or other securities of the Central Government.

(ii) Promissory notes, debentures, stocks or other securities of the State Government.

(iii) Stock or debentures of, or shares in companies, the interest wherein shall have been guaranteed by the Central or the State Government.

(iv) Debentures or other securities for money issued by or on behalf of any municipal body under the authority of any Act of a Legislature established in India; or

(b) in fixed deposits for periods not exceeding three years in,—

(i) a schedule bank as defined in the Reserve Bank of India Act 1934, or

(ii) the Rajasthan State Co-operative Bank, Limited, or

(c) the purchase or in the first mortgage of immovable property with the previous sanction of the State Government.

(6) The investment under sub-rule (5) shall not be pledged, encashed or withdrawn without the prior sanction of the State Government.

13. *Form of budget.*—The Board shall submit to the Government not later than the 1st March of every year, a budget in Forms No. 1, 2 and 3 showing its probable receipts and expenditure. The budget shall contain provision, adequate in the opinion of the Government, for the due discharge of all liabilities in respect of loans contracted by the Board and for the maintenance of a working balance.

Section 50 and section 67 (2) (c).

#### Notes

Section 50 provides that:—

The Board shall cause to be maintained such books of account and other books in relation to its accounts in such and in such manner as may be prescribed.

14. *Accounts and registers to be maintained by the Board.*—

(1) The following registers shall be maintained in the Board's office in connection with the Wakf Fund:—

- (a) A cash book;
- (b) a demand, collection and balance register to watch the realisation of contribution from wakfs;
- (c) a deposit register;
- (d) a register showing the receipts and disbursements during the previous years;
- (e) a register showing the recovery to be made from a wakf under section 35;
- (f) a register showing the recovery to be made from a wakf under section 38;
- (g) a register showing the recovery to be made from a wakf under section 46 (4);
- (h) a register showing the recovery to be made from a wakf under section 53;
- (i) a miscellaneous receipt register with receipt book and counterfoils;
- (j) a posting register to compile monthly accounts;
- (k) a stamp register;
- (l) a contingent register;
- (m) an establishment audit register; and
- (n) stock books showing receipts, issue and balance relating to—
  - (i) stationery and printed forms,
  - (ii) furniture, and
  - (iii) cycles, type-writers, tools and plant and other stores.

15. *Receipts.*—(1) All transactions shall be brought into accounts and all moneys received shall be paid in full without delay into a bank with which the Board has transactions, to be credited to the appropriate account of the Board.

(2) The appropriation of receipts to expenditure shall, as a rule, be avoided.

(3) An officer of the Board authorised by the Chairman in this behalf, shall grant receipts for all moneys received by him for credit to the Wakf Fund. A counterfoil receipt bearing printed machine numbers shall be maintained for the purpose.

(4) Recoveries of overpayments relating to the current year shall be shown as abatement of charges of the accounts concerned. If the overpayment relate to previous year the accounts of which have been finally closed, the recoveries will be taken as direct receipts to the accounts concerned.

16. *Expenditure.*—(1) Payment from Wakf Fund shall be made by cash or cheque. Cheques shall not be issued for sums less than Rs. 10/-.

(2) No money shall be withdrawn from the bank unless it is required for immediate payment.

(3) Money indisputably payable shall never be left unpaid and money paid shall, under no circumstances, be kept out of the accounts a day longer than is absolutely necessary.

(4) Any person having a claim against the Board shall present his voucher duly verified and stamped. All vouchers shall be filled in and signed in ink. The amount shall be written in figures as well as in words. All corrections and alterations in the voucher shall be attested by the dated initials of the person signing the receipt.

(5) Receipts for all sums exceeding Rs. 20 either by cash or cheque shall be stamped. The correct head of classification according to the budget shall be recorded on each voucher by the drawing officer.

17. *Establishment.*—*Pay Bill, Travelling Allowance Bills etc.*—The Forms in which Pay Bill, T. A. Bills and Contingent Bills may be prepared shall be governed, so far as possible, by the rules and forms for the time being applicable to offices of the State Government.

18. *Stamps.*—Postage stamps shall be purchased and issued for use in the Board's Office after they are perforated by perforator with the impression "M.W.B.". The charge for postage stamps shall be drawn on separate contingent bills.

19. *Heads of expenditure.*—Expenditure shall be classified under the following major and minor heads:—

#### Major

(a) Salary of Officers.

(b) Pay of establishment.

#### Minor

- (i) Allowances or fees to the Chairman or members of the Board or Committees.
- (ii) Pay of Secretary.
- Pay of establishment in the Board's office.

- (c) Allowances
  - (i) Travelling allowance
  - (ii) Other allowances.
- (d) Contingencies
  - (i) Rents, rates and taxes.
  - (ii) Postage and telegrams.
  - (iii) Stationery.
  - (iv) Books and periodicals.
  - (v) Electric and lighting charges.
  - (vi) Telephone charges.
  - (vii) Printing charges.
  - (viii) Furniture.
  - (ix) Miscellaneous.
- (e) Law charges.
  - (i) Lawyers' fees.
  - (ii) Stamp charges.
  - (iii) Court fees.
- (f) Loans and advances.
  - (i) Repayment of loans.
  - (ii) Interest on loans.
  - (iii) Grant of loans.
- (g) Preservation and protection of Wakf Properties.
- (h) Audit charges
- (i) Other expenses

Reappropriation or transfer of funds from the allotment under one minor head of expenditure to another under the same major head may be made by the Chairman. No appropriation from one major head to another shall be made without the sanction of the Board.

## Section 51

## Notes.

Section 51 of the Act provides that:—

(1) The accounts of the Board shall be audited and examined annually by such auditor as may be appointed by the State Government.

(2) The auditor shall submit his report to the State Government and the report of the auditor shall, among other things, specify all cases of irregular, illegal or improper expenditure or of failure to recover money or other property caused by neglect or misconduct and any other matter which the auditor considers it necessary to report : and the report shall also contain the name of any person who, in the opinion of the auditor, is responsible for such expenditure or failure and the auditor shall in every such case certify the amount of such expenditure or loss as due from such person.

(3) The cost of the audit shall be paid from the Wakf Fund.

19A. *Recovery of money due to a Wakf*:—Pending the establishment of a Board of Wakfs for Rajasthan, whenever the Commissioner of Wakfs, or an Assistant Commissioner of Wakfs, has reason to believe that money due to Wakf is in the custody of, or has been appropriated by any person, whether he be the Mutawalli of the Wakf or not, the Commissioner or the Assistant Commissioner, as the case may be, Shall send report regarding the same to the Collector of the District specifying the amount the name of the Wakf, the village Tehsil in which it is situated, the name and address of the person from whom the amount is due and stating briefly the circumstances in which the money came into his custody and/or was appropriated by him. The Collector shall thereafter proceed to recover the money from the person from whom it is due and if the person fails to pay the amount within the time allowed by the Collector, the same shall be recovered as an arrear of land revenue.

The amounts recovered under this rule shall be deposited in the first instance under "S-Deposits and Advances-Part-II-Deposits not bearing interest-(C) other Deposits Accounts. B-Departmental and Judicial Deposits Civil Deposits, Revenue Deposits, and transferred to the Board of Wakfs soon after its constitution:

*Note*

Rule 19 A has been newly added vide Revenue (A) Department Notification No. F. 1 (f) Rev. A/58 dated November 24, 1958, published in Rajasthan Gazette, part IV (c) dated January 8, 1959.

20. *Functions of the auditor*:—(1) In auditing the accounts of the Wakf Fund the auditor shall verify the cash balance and state in the report whether the cash was readily forthcoming for verification.

(2) The auditor shall, in the course of the audit, verify the debentures, share certificates, Government bonds and other securities and the bank pass books and report whether they were found correct.

21. *Contents of audit report*.—(1) The auditor shall report, besides other points arising in audit.—

(a) whether the accounts and registers required to be maintained are kept properly;

(b) whether the contributions and other receipt due to the Board have been realised at the proper time and whether due steps have been taken to recover the sums over due and, if not, in which cases such action has not been taken;

(c) whether all collections have been brought to account promptly;

(d) whether any contributions have been remitted or reduced and if so, under proper authority;



- (e) whether the expenditure incurred is in accordance with the sanctioned budget and if there are deviations from such budget, what the deviations are;
- (f) whether every item of expenditure has been sanctioned by the competent authority and is supported by a proper voucher;
- (g) whether there is any item of expenditure which, in the opinion of the auditor, is *prima facies* extravagant; and.
- (h) whether the moneys not required for immediate expenditure have all been deposited in banks and surplus funds have been invested.

(2) The auditor shall report any material impropriety or irregularity which he may observe in the expenditure, in the collection of contribution due to the Board or in the accounts, and also all cases of loss or waste of money together with the names of persons directly or indirectly responsible for the loss or waste.

22. *Documents to be annexed to the audit report.*—(1) The auditor shall append to his report—

- (a) a statement of receipts and charges under the budgetheads;
- (b) a statement of income and expenditure;
- (c) a consolidated statement of assets and liabilities;
- (d) a statement of debentures, shares certificates, Government bonds and other securities; and
- (e) a consolidated statement of demand, collections and balance of all items of revenue including contributions, decree amounts, etc. both arrears and current, outstanding whether in cash or in kind.

(2) The auditor shall prepare an abstract of the audited accounts (receipts, charges and balance sheet) and submit two copies thereof along with the audit report.

FORM No. 1  
(See rule 13)

## Budget Estimate of income and expenditure for the year

Accounts for	Budget Estimate for	Revised Estimate for	Income. Head of income	Budget estimate made for	Expenditure. Budget estimate for	Head of expenditure	Revised Estimate for	Year Budget Estimate for	Accounts for.
1	2	3	4	5	6	7	8	9	10
Rs.	Rs.	Rs.		Rs.	Rs.				
			1. Contribution from wakfs' under section 46 [1].				1. Deficit from previous year.		
			2. Other income				2. [i] Fees or allowances to Chairman and members of Board of Committees.		
			[a] interest on investments and advances.				[ii] Pay of Secretary.		
			[b] Fees for supply of documents and other petty items.				[iii] Pay of establishments,		
							[iv] Travelling and other allowances.		

[v] Contingencies,	
[vi] Law charges	
after deducting	
recoveries,	
[vii] Audit charges,	
[viii] Interest on	
loans,	
[iv] Prevention	
and protection	
of wakf	
properties.	
[x] Other expenses	
Total.....	
Deficit at the end of	
the year.	
Total.....	



(See rule 13)

### Budget: Estimates for Assets and Liabilities on

[illegible]

\*Includes advances of pay, travelling allowances and lawyers' fees.

By Order of the Governor,  
PRABHU DAYAL LOIWAL,  
Secretary to the Government.

# RAJASTHAN WAKF RULES, 1956

## NOTIFICATION

Jaipur, February 6, 1963

*No. F. 1 [f] [8] Rev./A/58/ II.*—In exercise of the powers conferred by section 67 of the Wakf Act, 1954 (Central Act 29 of 1954), the State Government hereby makes the following amendments to the Rajasthan Wakf Rules, 1956, namely:—

## AMENDMENTS

In the said rules—

1. After rule 3, the following new rule shall be inserted namely:

3A. Powers of the Commissioner while making inquiries.—The Commissioner, while making inquiry shall, as far as practicable, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 for the following matters, namely :—

- (a) temporary injunctions and interlocutory orders; and
- (b) appointment of receivers.

2. After rule 3, the following new rule shall be inserted, namely:—

8A. The Board while holding an inquiry under section 45 or any person authorised in this behalf shall, as far as practicable, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

- (a) temporary injunction and interlocutory orders; and
- (b) appointment of receivers.

By Order of the Governor.  
R. K. CHATURVEDY,  
Secretary to the Government

*Notifications under,*

**RAJASTHAN WAKFS RULES, 1956.**

*Published in Raj. Raj-patra Dated May 2, 1957 part IV (c) at page 34 :*

**NOTIFICATIONS**

Jaipur, April 11, 1957

No. D 868 (1) F. 18 (87) LJ A/55.—Pursuant to sub-rule (2) of Rule 1 of the Rajasthan Wakf Rules, 1956, the State Government is hereby appoints the 1st day of May, 1957, to be the date on which the aforesaid rules shall come into force.

*Notifications under,*

## WAKFS ACT, 1954.

*Published in Raj, Raj-patra Dated May 2, 1957 part IV (c) at page 34 :*

Jaipur, April 11, 1957.

No. D. 868 (2) F. 18 (87) LJ/A/55.—In exercise of the powers conferred by section 4 of the Wakfs Act, 1954 (Central Act No. 29 of 1954), the State Government is pleased to appoint the Devasthan Commissioner, Rajasthan to be the Commissioner of Wakfs for the State except the Abu Area and the Ajmer areas and all the Assistant Commissioners, Devasthan to be the Assistant Commissioners of Wakfs within the areas under their respective administrative charge, for the purpose of making a survey of Wakfs properties existing on 15-1-1955 in the Sunel area, and on 1-4-1955 in the pre-reorganisation State of Rajasthan excluding the sub-division of Sironj.

By Order of the Governor,  
PRABHU DAYAL LOIWAL,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated August 14, 1958 part I (a) at page 165 :*

### REVENUE 'D' DEPARTMENT

#### NOTIFICATION

Jaipur, July 31, 1958

No. F. 1 (854) Rev. D/58.—In exercise of the powers conferred by section 4 of the Wakfs Act, 1954 (Central Act 29 of 1954), and in supersession of the Ajmer Government Notification No. 5/7/54-L&J dated the 11th February, 1955 and Law & Judicial 'A' Department Notification No. D 868 (2) F. 18 (82) LJ/A/55, dated 11th April, 1957, the Government of Rajasthan is hereby pleased to appoint Shri A. A. Jafri, I. A.S. to be the Commissioner of Wakf for the whole of Rajasthan except the Abu area and all Assistant Commissioner Devasthan to be Assistant Commissioners of Wakfs within the areas under their respective administrative charge except the Abu area, for the purpose of making a survey a Wakf properties existing on 15th January, 1955, in the Ajmer and Sunel areas and on the 1st April, 1955 in the pre-reorganisation State of Rajasthan excluding the sub-Division of Sironj.

By Order of the Governor,  
R. N. HAWA,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated November 7, 1957 part I [b] at page 242 :*

### Revenue (A) Department

#### NOTIFICATION

Jaipur, October 18, 1957.

No. F. 1 (e) (33) Rev/Estt/57.—In exercise of powers conferred by section 4 of the Wakfs Act, 1954 (Central Act 29 of 1954), and in supersession of the Ajmer Government Notification No. 5/7/54 L. & J., dated the 11th February, 1955, and Law and Judicial (A) Department Notification No. D. 868 (2) F. 18 (87) L. J/A/55, dated the 11th April, 1957, the Government of Rajasthan is hereby pleased to appoint Syed Ikramul-Huq, R. J. S., to be the Commissioner of Wakfs for the whole of Rajasthan except the Abu area and all the Assistant Commissioners Devasthan, to be the Assistant Commissioners of Wakfs within the areas under their respective administrative charge except the Abu Area, for the purpose of making a survey, within Wakfs properties existing on 15th January, 1955 in the Ajmer and sunelareas and on 1st April, 1955 in the pre-reorganisation State of Rajasthan excluding the Sub-Division of Sironj.

By Order of the Governor,  
M. G. DALELA,  
Secretary to the Government.



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*Rules and Notifications under*

WAREHOUSES ACT, 1958.  
( RAJ. ACT No. 48 OF 1958 ).

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*Notifications under*

**Rajasthan Warehouses Act, 1958.**

*Published in Raj. Raj-patra part IV (c) dated April 30, 1959 at page 67*

Co-operative Department.

Jaipur, April 14, 1959.

No. F. 32 (11) Coop./55.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Warehouses Act, 1958 ( Act No. 48 of 1958 ), the State Government hereby appoints the 1st day of May, 1959 to be the date on which the said Act shall come into force.

By Order of the Governor,  
KHEM CHAND,  
Secretary to the Government.

# RAJ. WAREHOUSES RULES, 1960

## CO-OPERATIVE C-I DEPARTMENT

Jaipur, August 16, 1967.

*Notification No. F. 9 (66) SCA/59.*—In exercise of the powers conferred by section 34 of the Rajasthan Warehouses Act, 1958 (Rajasthan Act 48 of 1958), the State Government hereby makes the following amendments to the Rajasthan Warehouses Rules, 1960; the same having been previously published as required by sub-section (3) of the said section of the said Act, namely :—

### AMENDMENTS

For rule 24 of the Rajasthan Warehouses Rules, 1960, the following shall be substituted namely :—

“24. (1) Every Warehouseman shall insure the goods deposited in his warehouse against loss or damage by fire and theft for an amount not less than the market value of the goods on the date on which they were deposited in the warehouse :

Provided that nothing in this sub-rule shall apply the goods deposited in the warehouses belonging to a Warehousing Corporation where such Warehousing Corporation has agreed in writing to compensate the depositor against loss or damage by fire and theft, to the extent of the amount not less than the market value of the goods on due date of the deposit.

(2) On a written request from the depositor and his agreeing to pay the requisite charges for additional insurance, the warehouseman may insure such goods also against loss or damage by flood or riot or civil commotion or any other contingency :

Provided that when such request has been made in respect of goods deposited in the warehouse belonging to a Warehousing Corporation, such Warehousing Corporation may not insure the goods if it agrees in writing to compensate the depositor, against loss or damage by any of the risks specified in this written request.

(3) Except where proviso to sub-rule (1) or sub-rule (2) applies, the goods deposited in the warehouse shall not be insured by a company which is not on the list of companies approved for this purpose by the prescribed authority.

(4) Every warehouseman shall be entitled to recover from the depositor of goods or its owner the insurance premia and other out of pocket expenditure incurred by him for the insurance so effected of the goods stored in his warehouse and where

the Warehousing Corporation has agreed to compensate the depositor under proviso to sub-rule (1) or (2), it shall be entitled to recover from the depositor such additional charge as it may decide, not exceeding tariff rate of the insurance premium for the risk which it has agreed to compensate.

*Explanation*—For the purpose of this rule Warehousing Corporation means a Warehousing Corporation established under Warehousing Corporation Act 1962 (Central Act 53 of 1962).

(Pub. in Raj. Gaz. 4 (Ga)—Dt. 5-10-67—Page 752) .

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*Rules and Notifications under*

WAREHOUSING CORPORATION ACT, 1962.

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# RAJ. STATE WAREHOUSING CORPORATION RULES, 1957

Notification No. F. 14 (56)/CA/Gr. I/61.—In exercise of the powers conferred by section 41 of the Warehousing Corporation Act, 1962 (Central Act No. 58 of 1962) the Government of Rajasthan makes the following amendment in the (Rajasthan State Warehousing Corporation Rules, 1957 :—

For the existing provision in Rule No. 3 (i) of the above Rules, the following shall be substituted :—

“The term of office of every Director nominated under sub-section (a) & (b) of section 20 (1) of the Act shall, in the case of an official Director, be for the period for which he continues to hold office and other cases be 3 years from the date of his appointment”.

“Provided that it shall be open to the Authority competent to nominate the Directors (official and non-official) to rescind or modify the nomination at any time or re-nominate a Director for a further period of 3 years”.

[Co-operative Department Notification published in Rajasthan Gazette-Part 4 (Ga)-dated 20-2-64 Page 671 [45]. ]

Co-operative ‘C-I’ Department

Jaipur, June 20, 1966.

Notification No. F. 14 (56) CA/Gr. I/61.—In exercise of the powers conferred by section 41 of the Warehousing Corporation Act, 1962 (Central Act No. 58 of 1962) the Government of Rajasthan makes the following amendment in the Rajasthan State Warehousing Corporation Rules, 1957,—

The following words may be added at the end of rule 3 (1) sanctioned by the Government vide Notification No. F. 14 (56) CA/Gr. I/61, dated 18th December, 1963 and before the proviso thereof.

“or till a successor is nominated in his place whichever is later.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 14-7-66—Page 230]

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*Rules and Notifications under*

WEIGHTS & MEASURES ACT, 1954.  
( RAJ. ACT No. 19 OF 1954 )

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# RAJASTHAN WEIGHTS AND MEASURES RULES, 1956.

*Jaipur, February 10, 1956.*

No. D. 2533/56/F. 25 (1)-CI(B)/52.—The following Rules framed under Section 44 of the Rajasthan Weights and Measures Act, 1954 (Rajasthan Act XIX of 1954) are hereby published for general information.

These Rules shall come into force with immediate effect.

By Order of  
His Highness the Rajpramukh,  
R. N. HAWA,  
*Secretary to the Government.*

*( Authorised by His Highness the Rajpramukh )*

In exercise of the powers conferred by section 44 of the Rajasthan Weights and Measures Act, 1954 (Rajasthan Act XIX of 1954), the Government of Rajasthan, is pleased to make the following rules for the purpose of carrying into effect the provisions of the said Act.

## **Short title and Commencement**

1. These rules may be cited as the Rajasthan Weights and Measures Rules, 1956 and shall come into force on their publication in the Rajasthan Gazette.

## **Notes**

Section 44 of the Rajasthan Weights and Measures Act, 1954 authorises the State Government to make rules generally for carrying into effect the purposes of the Act and in particular with respect to all matters that are required to be or may be prescribed thereunder. These rules have been framed in exercise of the powers conferred under this section.

## **Definitions**

2. In these rules unless there is anything repugnant in the subject or context.

(a) "the Act" means the Rajasthan Weights & Measures Act, 1954,

(b) "the Director of Industries & Commerce" means the officer appointed by Government to be the Director of Industries and Commerce, Rajasthan for the time being,

(c) "Superintendent of Weights and Measures" means the Officer appointed by the State Government to be the officer incharge to watch the affairs of Weights & Measures in the territory of the Rajasthan,

(d) "Inspector" means an Inspector appointed by the Government under section 21,

(e) "primary standard weights" means weights which are primary standards,

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*These rules have been first published in Rajasthan Raj-patra, dated July 28, 1956 in Part IV (c) at page 381.*



(f) "primary standard measures" means measures which are primary standards,

(g) "secondary standard weights" means weights which are secondary standards,

(h) "secondary standard measures" means measures which are secondary standards,

(i) "section" means a section of the Act,

(j) "table" means a table appended to the rules.

(k) "verification" with its grammatical variations includes "re-verification" with its grammatical variations,

(l) "working standard weights" means weights which are working standards,

(m) "working standard measures" means measures which are working standards, and

(n) words and expression defined in the Act and not defined in these rules shall have the same meanings, as in the Act.

## PART II.

### Composition, weight, length, form and specifications of secondary standards and the manner in which they shall be made.

#### Notes

Rules contained in this part are meant to put into effect the provisions of sub-section (1) of section 5 of the Act which requires that,—(1) For the purpose of verifying working standards, the State Government shall cause to be prepared such number of sets of standard weights and measures, conforming to the primary standards, as it may prescribe.

Sub-section (1) of section 10 requires that,—(1) The secondary and working standards shall be prepared of such material and form, according to such specifications, by such officer or authority, and in such manner as the State Government may, by notification in the Rajasthan Gazette, direct.

Rules in this part prescribe the requirements of this sub-section also.

3. All secondary standards, except the yard, shall be cylindrical in shape.

4. All secondary standards, except the yard measures, shall be cast of admiralty Bronze 88 per cent copper, 10 per cent tin and 2 per cent zinc. Loop handles shall be provided for the 1/4 maund, 1/2 maund and for the 14 lb., 28 lb., and 56 lbs. weights. Other weights shall have knob handles.

5. The yard shall be in the shape of a round tubular brass bar made with Micrometer Head for the purposes of accurate checking.

6. The larger secondary standard weights shall be fitted with screw adjustment plugs containing two holes to take a suitable spanner, and the smaller secondary standard weights shall have screw plugs to take an ordinary screw driver. For the purposes of this rule the Director of Industries and Commerce shall determine which secondary standard weights shall be classified as larger or smaller.

## PART III.

**The procedure for the verification, re-verification, adjustment or renewal of primary and secondary standards and marking of secondary standards.**

7. (a) The primary standards shall be verified once at least in every five years against the irridio-platinum standards in the custody of the Mint Master. The Mint Master (*i. e.* the Officer-in-charge of the Mint of the Central Government) shall after each verification issue a certified list of errors which shall be used when verifying secondary standards.

(b) Primary standards shall be deposited with the Superintendent of Weights and Measures, Rajasthan.

## Notes

The "primary standards" have been defined as under in clause (5) of section 2 of the Act:—

'Primary Standard' means—

(i). in relation to weights the set of weights supplied by the Central Government under sub-section (2) of section 4 of the Standards of Weight Act, 1939 (Act IX of 1939),

(ii) in relation to measures of length, such standard measures including multiples or sub-multiples thereof, as have been prescribed by the Measures of Length Act, 1889 (Act II of 1889), until they are superseded by an Act of Parliament, and

(iii) in relation to measures of area, capacity or volume, such standard measures including multiples or sub-multiples thereof as may be established for the time being by or under a Central Act.

Section 4 of the Act provides that,—(1) The primary standards of weights and measures along with their authorized multiples and sub-multiples shall be the standard weights and measures; and a duly authenticated complete set of such standard weights and measures shall be kept deposited in safe custody at the prescribed place.

(2) The State Government may prescribe any multiple or sub-multiple of a standard weight or measure for the purpose of any trade or class of trades, and each such multiple or sub-multiple shall, for the purpose of such trade or trades, be deemed to be a standard weight or measure.

Rule 7 (b) prescribes the authority with whom the primary standards shall be deposited as required under sub-section (1) of section 4 of the Act.

8. (1) All the secondary standards shall be kept in the custody of the Inspectors & shall be returned for verification to the Superintendent, Weights and Measures, Rajasthan at least once in every five years. The secondary standards so returned shall be verified by the Superintendent of Weights and Measures and if found correct they shall be stamped and marked with date of verification. If the secondary standards on verification are found to be incorrect they shall be adjusted and re-verified and if found correct shall be stamped accordingly.

(2) The number of sets of secondary standard shall be equal to the number of Inspectors.

## Notes

Section 15 of the Act requires the verification of the secondary standards with the primary standards. The rule prescribes the procedure for such verification, re-verification, adjustment or renewal of secondary standards as required under sub-

sections (1) and (2) of section 15. Sub-section (2) of section 15 requires that,—(2) Once at least after every five years the secondary standards shall be re-verified with the primary standards, shall be adjusted or renewed, if necessary, and shall be marked with the date of such re-verification in the prescribed manner by such officer or authority as the State Government may by rule direct.

Sub-section (2) of section 5 requires the secondary standards to be kept in safe custody as prescribed. The rule names Inspectors as the authorities for this purpose.

The Superintendent of weights and measures in Rajasthan has been named as an Officer or Authority for purposes of verification etc. under section 15.

## PART IV

The composition, weight, length, form and specifications and use of working standards, the authority by whom and the manner in which such standards shall be provided, the agency by whom such standards shall be made, the person by whom and the manner in which such standards shall be stamped, and the places at which and the custody and manner in which such standards shall be kept.

### Notes

The rules in this part have been framed for putting into effect the provisions of section 6 of the Act which reads as under:—

(1) For the purpose of verifying weights and measures in use the State Government may provide such number of sets of standard weights and measures, conforming to the primary standards, as may be prescribed.

(2) The sets of standard weights and measures provided under sub-section (1) shall be called working standard and shall be kept in such custody and at such places as may be prescribed.

The rules in this part also prescribe the requirements of section 10 with a view to provide for the preparation of working standards. Sub-section (1) of section 10 provides that,—(1) The secondary and working standards shall be prepared of such material and form, according to such specifications, by such officer or authority, and in such manner as the State Government may, by notification in the Rajasthan Gazette, direct.

9. (a) All working standard weights shall be in a truncated cone form. The larger working standard weights shall be fitted with screw adjustment plugs containing two holes to take a suitable spanner and the smaller working standard weights to take a screw driver so that as the weight becomes light in use, adjustment can be made. Such working standard weights shall be cast of Admiralty Bronze 88% copper, 10% tin and 2% zinc. Loop handles shall be provided for the 1/2 maund, 1/4 maund and for the 14 lb., 28 lb. and 56 lb. weights. Other weights shall have knob handles. For the purpose of this sub-rule the Director of Industries & Commerce shall determine which working standard weights shall be classified as larger or smaller.

(b) All the working standard measures shall be of stout sheet copper suitably reinforced and their shape shall be conical for liquid working standard measures. The yard measure shall be in the shape of solid round brass bar.

10. (a) The Inspector shall verify the weights and measures of the public against the working standards.

(b) The number of sets of working standards shall be equal to the number of sets of secondary standards.

11. Working standards shall be kept in the personal custody of the Inspector and maintained in good clean working condition and shall be kept in safe custody so that their accuracy cannot be tampered with.

12. Secondary standards and working standards shall be made by a person who is authorised by the Director of Industries & Commerce to make such standards.

## PART V

The procedure for the verification or re-verification and marking of working standards and the person by whom and the place where they shall be verified or re-verified.

13. All working standards shall be verified and marked against secondary standard by the Inspector once in every six months and if found correct they shall be stamped with the date of verification.

### Notes

Section 15 (1) (b) of the Act requires that the working standards shall be verified with secondary standards. Sub-section (3) of section 15 requires that, (3)—The working standards shall be re-verified with the secondary standards, shall be adjusted or renewed, if necessary, and shall be marked with the date of such re-verification in the prescribed manner after such intervals and by such office or authority as the State Government may by rule direct.

This rule provides the procedure for the purposes of sub-sections (1) (b) and (3) of section 15.

The working standards are required to be marked under section 11 of the Act. Rule 13 prescribes the same manner for verification and marking.

## PART VI

The number of weighing instruments to be kept and necessary particulars regarding the same.

14. Every Inspector shall be supplied with secondary and working standards and set of Weighing instruments specified below:—

(a) One Inspector's balance capable of weighing up to 1 cwt.

(b) One Inspector's balance capable of weighing up to 300 tolas.

(c) One Inspector's balance capable of weighing up to 5 tolas.

(d) One pair portable scales for weighing 1 cwt. downwards complete with case.

15. The make and type of weighing instruments specified in rule 14 shall be subject to the approval of the Director of Industries & Commerce.

## PART VII

The authority by whom certified scales shall be provided for the purpose of this Act and the rules and regulations and the manner in which they shall be verified.

16. All working instruments shall be verified at least once in 12 months by the Superintendent of Weights & Measures and if found correct, shall be stamped.

## PART VIII

**The composition, length, form, specifications and manufacture of weights and measures in use in any area.**

### *Notes*

The rules contained in this part prescribe the requirements of sections 7, 10 (2) and 12 of the Act. Sections 7, 10 (2) and 12 of the Act read as under:—

7. (1) Such kinds or classes of weighing and measuring instruments as may be prescribed shall be kept at all places where secondary or working standards are kept.

(2) The State Government may prescribe any weighing or measuring instrument for the purpose of any trade or class of trades.

10. (2) The weights and measures in use shall be of the same material and form and according to the same specifications as the working standards. They shall be prepared by such agency and in such manner as may be prescribed.

12. (1) Weighing and measuring instruments, prescribed and kept under section 7 or in use, shall be prepared of such material and form, according to such specifications, by such person, officer or authority and in such manner as may be prescribed.

(2) They shall be marked by such person, officer or authority and in such manner as may be prescribed.

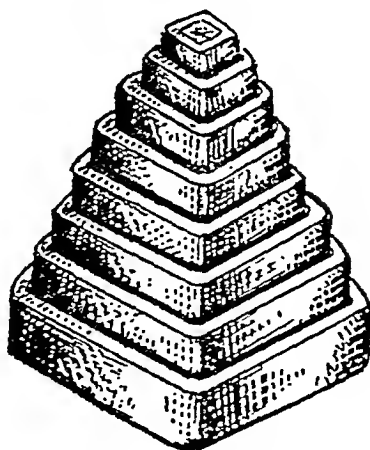
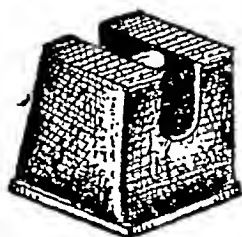
17. Every weight other than the weight of 1/4th tola or its equivalent in other denominations and under and every measure, weighing or measuring instrument manufactured after these rules come into force shall have the maker's name clearly and indelibly marked on it.

18. (1) Weights shall be made entirely of some metal other than lead, except where lead is inserted for purposes of adjustment. Weights made of soft metals or soft alloys such as tin or solder, shall not be stamped. Weights shall not be made of aluminium or other metals or alloys of low density. Nothing in this sub-rule shall apply to weights specified in sub-rule (2)

(2) The Bullion Tola, Rati, Grain and Apothecaries weights shall be made of solid brass, gun metal, bronze or german silver. The Val weights, weights of one Rati and under, and 12 grains and under may be made of solid brass, gun metal, bronze, aluminium or platinum

19. (1) All weights in the pound avoirdupois series shall be rectangular in shape, with a bar for lifting purposes cast in the body, except weights of denominations of 4 lb. and under which shall be flat, square and without a lifting bar, corners and edges of all weights shall be rounded off. All weights in a set shall be of similar form and proportional dimensions. The small weights of 4 lb. and under shall nest with each other. No weights made of iron under 4 oz. shall be stamped.

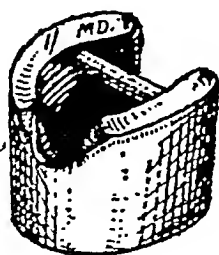
### Illustrations of lb.—Avoirdupois Weights.



*4 lb. and under.*

(2) All weights in the tola, seer and maund series shall be cylindrical in shape with a slight taper between the base and the top and shall have a bar for lifting purposes cast in the body, except weights of denominations of two seers and under, which shall be flat and circular without a lifting bar. Edges of all weights shall be rounded off. All weights in a set shall be similar form and proportional dimensions. The small weights of two seers and under shall nest with each other. No weight of iron under  $\frac{1}{8}$ th seer shall be stamped.

### Illustrations of seers and Maund Weight.



*2 seers and under.*

(3) All weights of the Bullion Tola series, other than weights of the denominations of 100 tolas and under, shall be cylindrical in shape and shall have a knob or a handle for lifting purposes. The weights of the denominations of 100 tolas and under shall be flat and circular. The Bullion tola weights shall be marked with the word "Bullion Tola" or its abbreviation.

(4) Rati weights of the denominations of 1 Rati and over shall be flat and circular and shall be provided with a knob. The weights of the denominations under one Rati shall be flat and square.

(5) Apothecaries Weights and Grain Weights equivalent to 1 ounce and upwards shall be cylindrical with knobs. Those below the equivalent of 1 ounce and shall be flat with or without knob or of wire.

20. (1) Weights of 1 ounce and 2 tolas and over shall be provided with one adjusting hole only. Rati weights shall not be provided with adjusting holes.

(2) Adjusting holes shall be in the under-surface of the weight and shall not extend to the upper surface. They shall be undercut and plugged with lead, which shall cover the bottom of the hole, and shall not project beyond the surface.

(3) No weight adjusted in any other manner shall be stamped.

21. (1) In weights made of iron and of flat shape the lead inserted for adjustment shall not be less than one-eighth of an inch thick, the approximate depth of the adjusting hole shall be equal to three-fifth of the centre thickness of the weight, and approximate minimum distance of lead from the surface, when new shall be one-fifth of the centre thickness of the weight.

(2) The adjusting hole of weights made of iron and of flat shape shall be circular and shall approximately be of the following diameters, namely :—

(i) For 4 lb., 2 lb., 2 seers and 1 seer weights of 1 inch diameter;

(ii) For 1 lb., weights of  $\frac{3}{4}$  inch diameter.

(iii) For 8 oz., 4 oz.,  $\frac{1}{2}$  seer and  $\frac{1}{8}$  seer weights of  $\frac{1}{2}$  inch diameter.

(3) The adjusting holes of weights made of iron other than of flat shape shall be rectangular or circular, and shall not exceed the area of a rectangle of the following dimensions :—

<i>Denomina- tion of seer Weights.</i>	<i>Denomina- tion of pound weights.</i>	<i>Length. Inch</i>	<i>Width. Inch</i>	<i>Approximate diameter of Circle equi- valent to area of Rectangle</i>	<i>Approximate minimum distance of lead from surface when new.</i>
1 maund	.... 100 lb.	3	$1\frac{1}{2}$	$2.2/5$	$1\frac{1}{2}$
20 seers	.... 56 „	$2\frac{1}{2}$	$1\frac{1}{4}$	2	$1\frac{1}{4}$
	50 „				
	28 „	2	1	$1.3/5$	1
10 seers	.... 20 „	$1\frac{1}{2}$	$\frac{3}{4}$	$1.1/5$	....
5 seers	.... 14 „	$1\frac{1}{4}$	$5/8$	1	$5/8$
5 seers	.... 10 „				
		1	$\frac{1}{2}$	$4/5$	$\frac{1}{2}$
	7 „				
3 seers	.... 5 „	$\frac{3}{4}$	$\frac{1}{2}$	$11/16$	$\frac{1}{2}$

#### BRASS ETC. WEIGHTS

(4) The adjusting holes of weights made of metal other than iron shall be circular and approximately of the following dimensions :—

<i>Denomination of seer wts.</i>	<i>Denomination of lb. wts.</i>	<i>Diameter</i>	<i>Depth.</i>	<i>Approximate minimum distance of lead from surface when new.</i>
		Inch.	Inch.	Inch.
Other than flat shape.				
1 maund.	100 lb.	1½	2	1
	56 lb.			
½ „	28 lb.	1	1½	¾
10 seers	14 lb.	1	1½	¾
5 seers	7 lb.	¾	1	½
Flat shape				
2, 1 and ½ seers.	4, 2 and 1 lb.	¾	3/5th centre thickness of wt.	1/5th centre thickness of wts.
1/4 seer	8 and 4 oz.	¾		
1/8 seer				

(5) The adjusting holes of the Bullion Tola Weight shall be circular and approximately of the following dimensions :—

<i>Denomination of tola weights.</i>	<i>Diameter</i>	<i>Approximate minimum distance of lead from surface when new.</i>
	Inch	Inch
Other than flat shape.		
2000, 1000 tola wts.	1	1
500, 300 & 200 tola wts.	¾	¾
Flat shape.		
100 and 50, tola wts.	½	½
30, 20 and 10 tola wts.	½	3/16
5, 4, 3 and 2 tola wts.	3/8	1/8

#### Liquid Measures of Capacity

22. (a) Liquid measures shall be made of glass, tin, tin alloys, pewter, brass, bronze, copper, tin-plate, white metal, aluminium, nickel, nickelled or nickel-plated, steel or sheetiron enamelled metal or other metal approved by the Director of Industries & Commerce.

(b) Liquid measures made of brass, bronze or copper shall be well tinned all over the inside.

(c) The coating of nickel or nickelled measures shall be uniform and show no signs of peeling.

(d) (i) Liquid measures of Imperial Gallon series and liquid measure of greater capacity than two seers shall be of a conical shape and shall be provided with handles. Liquid measures of gallon series used in liquor trade and liquid measures of two seers and below shall be either cylindrical or conical in shape and shall be provided with handle.

Liquid dram and peg measures shall be cylindrical in shape with or without handles except automatic peg measures which shall be of a pattern approved by the Director of Industries and Commerce.



For liquid measures of a conical shape of capacity below  $1/4$  seer and one pint the height shall be equivalent to the diameter of the base and the diameter of the top shall be  $1/3$  of the height subject to the variations of 5 per centum.

In the case of liquid measures of a conical shape having a capacity of  $1/4$  seer and up to 5 seers and one pint to four gallons; the height shall be equivalent to the diameter of the base and the diameter of the top shall be  $1/4$  of the height subject to a variation of 5 per centum. The sides of the conical measures shall make an angle of about seventy degrees with the base.

Liquid measures of a greater capacity than 5 seers or 4 gallons shall not be stamped unless they are of a pattern approved by the Director of Industries and Commerce.

(ii) Metal measures of the capacity of 2 seers and below and liquid dram and peg measures of cylindrical shape shall have vertical sides and shall have no retaining edge or rim. Their height shall not differ by more than 10 per centum from  $1\frac{1}{2}$  times their diameter.

Liquid measures of gallon series of cylindrical shape used in liquor trade shall have no retaining edge or rim. Their height shall not differ by more than 10 per centum from  $1\frac{1}{2}$  times their diameters.

Such liquid measures shall be well tinned over inside as well as outside, if they are intended to be used for any liquid food.

Measures used for dipping shall have a dipping handle which shall not be longer than twice the depth of the measures. Measures used for pouring shall have a suitable handle.

(iii) Apothecaries measures shall be of a conical or cylindrical shape with retaining edge or rim with a spout.

(e) The thickness of the metal used in all liquid measures shall be such that the body cannot be indented or forced in.

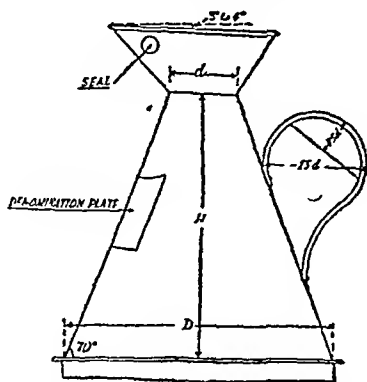
(f) The bottom of all liquid measures except those used for dipping shall be provided with a base consisting of a circular metal band not less than half inch in width going all round the edge, and shall also be re-inforced with such diametrical strips not less than half an inch in width as will ordinarily prevent its being indented or raised.

(g) If a liquid measure possesses a top rim, lip or retaining edge, a small hole shall be provided at the bottom of the lip rim or edge. If it is without a top rim, the upper surface shall be level.

(h) A liquid measure with a tap must be capable of completely emptying itself without being tilted.

(i) No liquid measure shall possess any mark on it, not being a graduation mark or line which may be mistaken for a graduation mark or line.

Illustrations of large liquid conical measures and of small liquid measures intended to be used for pouring as well as dipping purposes are given below.



Note:—(1)  $D = H$  (2)  $d = D/4$

Illustration of  
LIQUID CONICAL MEASURES  
of Capacity  $\frac{1}{4}$  seer and over and one put and over.

Illustration of liquid conical measures of capacity  $\frac{1}{4}$  seer and over and  
I pint and over

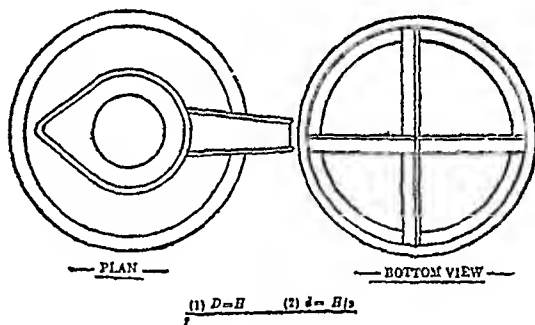
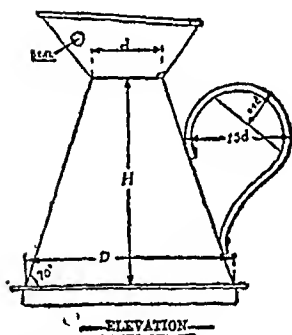
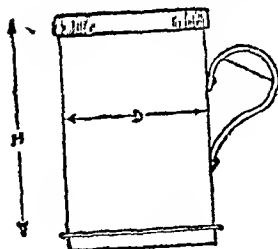


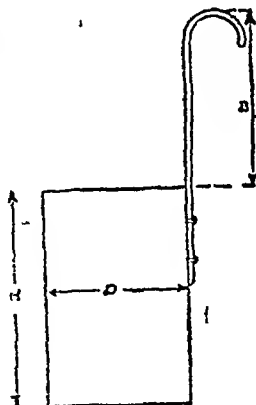
ILLUSTRATION  
of  
LIQUID CONICAL MEASURES  
below  $\frac{1}{4}$  Seer and one pint.

## Cylindrical Liquid Measures

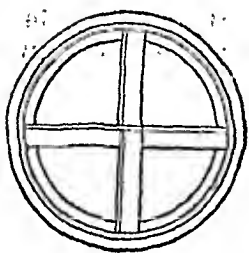
FOR  
POURING AND DIPPING  
PURPOSES  
2 SEERS AND UNDER



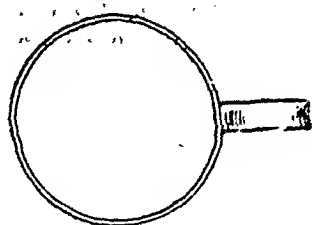
—ELEVATION—



—ELEVATION—



—BOTTOM VIEW—

(1) H TO BE WITHIN 10% OF  $1\frac{1}{2}$  D.

—PLAN—

(1) H TO BE WITHIN 10% OF  $1\frac{1}{2}$  D.

(2) B NOT GREATER THAN 2 H.

**ILLUSTRATION**

of  
LIQUID MEASURES  
for  
pouring purposes.

of  
LIQUID MEASURES  
for  
Dipping purposes.

23. (1) A liquid measure, if its capacity is clearly defined may have a top rim, lip or retaining edge, to prevent spilling provided that the capacity thus added does not exceed 10 per cent of the marked capacity of the measure. No liquid measure shall have a false bottom.

(2) A liquid measure which is not completely empty when tilted to an angle of  $120^\circ$  from the vertical, shall not be stamped.

24. Every liquid measure shall have its denomination clearly, permanently, and legibly marked upon the outside of the body thereof and not upon the handle, bottom, rim or edges. But on a glass measure in which the capacity is defined by a line, the denomination of the measure shall be plainly marked at the line on an enamelled measure. The denomination shall be marked in a distinctly different colour from that of the body of the measure. In the case of a measure made of sheet metal the denomination shall be marked on a slip of tin or on a shield (e.g., of sheet brass) securely soldered on the measure with a small piece of tin or securely fixed thereto for stamping.

25. (1) A glass liquid measure in which the sub-divisions are less than  $\frac{1}{12}$  inch apart, shall not be stamped.

(2) The total number of the graduations shall be clearly ground upon every liquid measure.

(3) A glass liquid measure shall have perfectly smooth transparent cylindrical sides and shall have clearly ground on the outer surface the necessary graduation marks each at two places diametrically opposite, so that in reading the measure the corresponding graduation marks at such places shall coincide when observed from either side.

(4) A liquid measure also ground with equivalent in weight may be stamped provided that the words, 'of water' are ground on the measure in addition to the denomination.

#### Area and Volume.

26. (a) Cubic measures of capacity shall be made of well seasoned wood and they should be bound or strengthened with metal or wooden straps.

(b) The denomination of every cubic measure shall be branded as near the top as possible.

(c) The cubic measures of capacity shall be rectangular in shape. The length shall not differ by more than five per centum from double their breadth. In all such measures the height shall not be less than one foot.

#### Measures of length.

27. (1) Every measure of length shall be made of steel, brass, ivory, hard wood, woven tape, or other material approved by the Director of Industries and Commerce. Such measure shall be denominated and graduated clearly and indelibly. The measures of 2 feet or more in length and made of wood shall have both ends tipped with metal, and the tips shall be revetted. In measures used for measuring bales, boxes, timber, etc., any sliding or calliper arms shall have no more play than is necessary for easy movement.

(2) A sub-divided measure of length shall have its numbered divisions, and also their sub-divisions, of longer lines than the minor graduations.

(3) Measures of length which are not sub-divided shall not be stamped unless engraved or marked by the manufacturer with the words "not sub-divided".

(4) Every measure of length, except that of woven tape or metal tape or chains made of metal, shall be so made that it cannot be easily bent.

#### Weighing Instruments.

##### General

28. Every weighing instrument manufactured after these rules shall have come into force shall have a maker's name, and its capacity prominently and indelibly marked on it. The capacity shall be indicated in the following manner:—

"To weigh	lb."
"To weigh	Seers"

29. (1) All knife edges and bearings of a weighing instrument shall be of hard steel or agate or other material approved by the Director of Industries, they shall be so fitted as to allow the beam or steel yard to move easily, and the knife edges shall practically bear up the whole length of their working parts.

(2) All graduations in the case of weighing instruments shall consist of sharply defined lines, so that the position of all sliding poises or indicators shall be clearly readable.

##### Beam Scale

30. (1) The term "beam scale" means any weighing instru-

ment, with two equal arms, the pans of which are below the beam.

(2) A beam scale shall be made of mild steel, wrought iron, brass, bronze or any other material approved by the Director of Industries and Commerce.

The pans shall be suspended by means of metal chains or metal stirrup supports or supports made of any other material approved by the Director of Industries and Commerce.

(3) A beam scale shall have a knife edge a bearing and an indicator in the centre, and a knife edge at each extreme end of the beam. The bearings in the case of Class A and Class B beam scales of a capacity of 1 oz. and above and the bearings or hooks in the case of Class C and D beam scales from which pans are suspended shall rest on the knife edges at the extreme ends of the beam, and shall bear practically on the whole length of the knife edges.

31. (1) Every beam scale shall belong to one of the following four classes :—

Class A—Chemical and Assay balances and other beam scales provided with means for relieving all bearings and knife edges. Class A instruments shall satisfy the requirements of Table VII and need not be marked with a class mark,

Class B—Beam scales, other than class A instruments, which shall satisfy the requirements of Table VIII.

Class C—Beam scales other than those specified in Class A or Class B which shall satisfy the requirements of Table IX A.

Class D—Beam scales other than those specified in Class A or Class B or Class C, which shall satisfy the requirements of Table IX A.

(2) All beam scales other than those specified in Class A shall be legibly and indelibly marked Class B, Class C or Class D.

32. (1) Any attachment for adjusting the balance of a beam scale shall be permanently fastened and where a balance ball or box is used for occasional adjustment, it shall be so fixed that it cannot easily be tampered with. Beam scales with wooden scale board shall be provided with a balance ball or box.

(2) The balance ball or box shall not be so large as to contain more loose material than an amount exceeding one per cent. in weight of the weighing capacity of beam scales under 100 lb. or than an amount exceeding 2 lb., for beam scales of weighing capacity over 100 lb.

(3) Beam scales of a capacity less than 2 cwt., with wooden scale boards shall have metal sheets covering the scale boards.

#### Counter Machines.

33. For the purposes of these rules the term “counter machines” means any equal armed weighing instrument of a capacity not exceeding 1 cwt., or 55 seers, the pans of which are above the beam,

and includes, together with the ordinary type, such instruments as are specially designed for counter use, and which do not exceed the above mentioned capacity.

34. When the beam or body has two sides, they shall be connected together by not less than two cross bars, and the supports for the pan shall be of suitable rigid structure such as crosses strengthened by straps..

Centre forks shall be fixed so that they cannot twist or get out of place.

The bearing surfaces and points of contact of all stays, hooks and loops shall be of hard steel or agate or other material approved by the Director of Industries and Commerce.

Where a counter machine is adjusted by means of a balancing box, it shall be permanently fixed beneath the weight pan, and shall be large enough to contain loose material to an amount not exceeding one per cent. of the capacity of the machine

No other adjusting contrivance shall be used.

#### Spring Balance.

35. A spring balance, of a capacity of 30 lb. of 15 seers or under, with a goods pan below the spring, shall be permanently suspended from a stand, support, or bracket and if not so suspended shall not be stamped.

36. The extremity of the index finger shall not exceed  $1/32$  inches in width and shall not be more than  $1/10$  inch from the scale or dial.

37. The scale shall be graduated into approximately equal parts and the minimum width apart of the graduation shall not be less than  $1/16$  of an inch for a capacity of 30 lb. or 15 seers and under, and not less than  $1/8$  of an inch for a capacity of 40 lb., or 20 seers and over.

38. The weights corresponding to the interval between consecutive graduation marks shall conform to the following table :—

<i>Capacity</i>	<i>Weight corresponding to interval between consecutive graduations must not exceed.</i>
1 lb. or $1/2$ seer.	2 drams.
2 lb. to 7 lb. or 1 seer to $3\frac{1}{2}$ seers	4 drams.
10 lb. to 15 lb. or 5 seers to $7\frac{1}{2}$ seers	8 drams.
20 lb. to 30 lb. or 10 seers to 15 seers	1 ounce.
40 lb. to 60 lb. or 20 seers to 30 seers	2 ounce.
100 lb. to and over or 50 seers and over	$1/200$ capacity.

When the graduation commences at a fixed load, the position of the index when there is no load, shall be clearly indicated by a zero mark.

39. Capacities between 1 lb., and 100 lb., and between 1/2 seer and 50 seers, other than those included in the table in rule 38 shall not be permitted.

40. When a spring balance is provided with an adjustable indicator the range of adjustment shall not exceed 1 per cent. of the capacity of the instrument, except in the case of instrument used for mining purposes, when it shall not exceed 2 per cent.

#### Steel yards.

41. (1) All steel yards shall be made of wrought iron steel, or other material approved by Director of Industries and Commerce. The shank shall be perfectly straight.

(2) Each set of notches, or graduations, on the shank shall be cut in one plane, and be at right angle to the shank.

(3) All steel yards shall be provided with a stop or other suitable arrangement to prevent excessive Oscillation of the shank.

(4) Sliding poises and suspending hooks shall be securely attached to the instrument.

(5) All end fittings, such as the nut attached to prevent the poise carrier riding off the steel yard arm, shall be securely fixed to the shank.

(6) The sliding poises shall be freely movable without risk of injury to the notches from constant use, and there shall be a stop to prevent it from travelling behind the zero mark or lowest graduation.

#### Dead-weight Machines.

42. For the purposes of these rules the term "dead-weight machine" means any weighing instrument similar in principle of construction to a counter machine, but constructed to weight loads of a capacity of 1 cwt., or 55 seers or over, and includes.—

(a) The low pattern or cotton machine with the weighing platform near the ground and the connecting stays or hooks above the beam;

(b) the high pattern or single machine with the weighing platform at a convenient height, and the connecting stays or hooks below the beam. This form includes equal-armed machines for weighing coal or vegetables; and

(c) the double machine, a combination of (a) and (b).

43. The bearing surfaces and points of contact of all stays, hooks and loops, shall be of hard steel and the centres shall have rectangular shoulders and fit into rectangular holes, being firmly secured.

The bearing surfaces of the adjustable slides shall be of hard steel, and the stems holding them in position shall be secured by lock nuts or otherwise.

The goods platform shall not exceed in length, the length of the beam, and in width double the width of the beam. Folding.

wings shall not increase such dimensions more than one-third in either direction.

Platforms shall be of metal or hard wood.

The minimum fall in dead weight machines shall be  $\frac{5}{8}$  inch both ways for vibrating machines and  $\frac{7}{8}$  inch one way for accelerating machines.

#### Platform Machines and Weighbridges.

44. The steel yard of a platform machine or weighbridge shall not involve any readily movable parts, except the support for the counterpoises. There shall be a stop or stops to prevent the sliding poise or poises from travelling behind the zero mark.

The steel yard or registering mechanism may be confined in a locked box or case, provided that the indications or graduations are visible.

The minimum travel of the steel yard in platform machines shall be  $\frac{3}{8}$  inch both ways or vibrating machines, and  $\frac{5}{8}$  inch one way for accelerating machines. The minimum travel of the steel yard in weighbridges shall be  $\frac{1}{2}$  inch both ways for vibrating machines, and  $\frac{3}{4}$  inch one way for accelerating machines.

45. If a movable hutch, barrow frame, or bucket is used instead of the ordinary platform, it shall form an essential part of, the machine without which it cannot be balanced.

All counterpoises for use in connection with movable hutches etc., shall be tested.

All loose counterpoises shall be identified with the machine by an indelible number or other sufficient mark of identification. They shall be marked with their equivalent weights in the following manner, *e. g.*, :—

= 1 Cwt.,

= —Seers.

46. The balancing arrangement for daily wear and tear shall have a range not exceeding  $\frac{1}{2}$  per cent. of the capacity of the machine, and not less than  $\frac{1}{8}$  per cent. each way. In a new machine, it shall be securely attached and actuated by a detachable key.

47. The following provisions shall apply to the platform machines and weighbridge with dials :—

(a) Racks and pinions shall be of hard metal.

(b) The extremity of the index shall in no position be at a greater distance from the graduated surface of the dial than  $\frac{3}{16}$  inch; and shall be made to meet but not to obscure the graduation marks.

(c) The registration mechanism and cylinders or tanks containing liquid (if any) shall be protected from dust and from excessive variation of temperature.

(d) In a self indicating pit-bank weighing machine, dust, the pendulous lever, suspension rod and water-box shall be suitably enclosed.



(h) the qualifications, functions and duties generally of Inspectors or Assistant Inspectors under this Act;

(i) the verification and stamping of weights and measures and weighing and measuring instruments and the period within which they are to be re-verified;

(j) the inspection of weights and measures and weighing and measuring instruments used in transactions for trade or commerce;

(k) the seizure, detention and destruction of weights and measures which are not authorised by this Act;

(l) the books, accounts and records relating to weights and measures and weighing and measuring instrument to be maintained and the manner in which they may be maintained or Produced;

(m) the limits of error which may be tolerated in secondary or working standards;

(n) the limits of error which may be tolerated in weights and measures and weighing and measuring instruments used or intended to be used in transactions for trade or commerce;

(o) the limits of error which may be tolerated in selling articles by weights and measures generally or as regards any trade or class of trades;

(p) the form and manner in which appeals may be preferred against decisions of Inspectors or Assistant Inspectors and the procedure for hearing appeals;

(q) the fees which may be charged for the grant of licences under section 13 and for verification, re-verification, adjustment and stamping of weights and measures and weighing and measuring instruments and the collection and levy of the same;

(r) any other matter which has to be, or may be, prescribed.

2. *Definitions*—In these rules, unless the context otherwise requires—

(a) 'Act' means the Rajasthan Weights and Measures (Enforcement) Act, 1958;

(b) 'Inspector' includes an Assistant Inspector,

(c) 'Schedule' means a Schedule appended to these rules;

(d) 'Secondary standards' means the set of standard weights and measures referred to in section 4 of the Act;

(e) 'Working standards' means the set of standard weights and measures referred to in section 3 of the Act;

(f) All words and expressions used but not defined in these rules and defined in the Act shall have the meanings respectively assigned to them in the Act.

3. *Reference Standards*.—The reference standards shall be kept in the custody of the Superintendent.

*Notes.*

This rule prescribes the custody as required under section 5 of the Act.

4. *Secondary Standards*.—(1) The Secondary standards shall conform as regards denominations, material used in constructions and design, to the specifications laid down in Schedule 1.

(2) The secondary standards shall be kept at such places, in such manner and in such custody as the Superintendent may direct.

(3) A secondary standard shall be verified with the reference standard at least once in every period of five years, adjusted, if necessary, and marked with the date of verification, by the Superintendent.

(4) Subject to any rules that may be made under the standards of Weights and Measures Act, 1956, the limits of error which may be tolerated in the Secondary standards on verification or re-verification after adjustment shall be as specified in Schedule I.

*Notes.*

This rule is meant to put into effect the requirements of section 4 of the Act which reads as under :—

4. **Secondary standard**—(1) For the purpose of verifying the correctness of the working standards, the State Government may cause to be prepared at the Mint as many sets of authenticated standard weights and measures as it may deem necessary, to be called the secondary standards.

(2) The secondary standards shall be made of such material and according to such design and specifications as may be prescribed and shall be stamped and authenticated by such person or authority as the Central Government may direct.

(3) The secondary standards shall be kept at such places, in such custody and in such manner as may be prescribed.

(4) A secondary standard shall be verified with the reference standard at least once in every period of five years and shall be marked with the date of verification in the prescribed manner by such person or authority as the State Government may direct.

(5) A secondary standard which is not so verified and marked within the aforesaid period shall not be deemed legal and shall not be used for the purposes of this Act.

5. **Working standards**.—(1) The working standards shall conform as regards denominations, material used in construction and design, to the specifications laid down in Schedule II.

(2) The working standards shall be prepared by such agent or as may be authorised by the Superintendent and shall be stamped and authenticated by the Superintendent.

(3) The working standards shall be kept in the custody of the Inspectors.

(4) A working standard shall be verified with the secondary standard at least once in every twelve months, adjusted, if necessary and stamped with the date of verification by the Superintendent or such other person as may be authorised by him in this behalf;

Provided that in the case of bullion and precious stones a working standards shall be so verified with the reference standard.

(5) Subject to any rules that may be made under the standards of Weights & Measures Act, 1956, the limits of error which may be tolerated in the working standards on verification or re-verification after adjustment shall be as specified in Schedule II.

*Notes.*

The matters contained in this rule have been prescribed in pursuance of section 3 of the Act which read as under :—

3. **Working Standards.**—(1) For the purpose of verifying the correctness of commercial weights and measures and weighing and measuring instruments used in transactions for trade or commerce, the State Government may cause to be prepared as many sets of authenticated standard weights and measures as it may deem necessary to be called the working standards, and special sets of working standards in relation to bullion and precious stones may also be prepared.

(2) The working standards shall be made of such material and according to such designs and specifications and shall be prepared by such agency and shall be stamped and authenticated by such person or authority and in such manner as may be prescribed.

(3) The working standards shall be kept at such places, in such custody and in such manner as may be prescribed.

(4) A working standard shall be verified with the secondary standard and marked by such persons, at such places, at such intervals and in such manner as may be prescribed.

Provided that a special working standard in relation to bullion and precious stones shall be verified with the reference standard.

(5) A working standard which is not so verified and marked within the prescribed period shall not be deemed legal or be used for the purpose of this Act.

(6) A working standard which has become defective shall not be deemed legal or be used for the purposes of this Act, until it has been verified and marked in the prescribed manner.

6. **Precision Balances.**—(1) The Superintendent shall maintain a set of precision balances at the place where the reference standards are kept.

(2) The number, types and specifications of precision balances shall be as laid down in Schedule III.

(3) The Superintendent shall verify precision balances at least once in every twelve months, adjust them, if necessary, to make them correct within the limits of sensitiveness, certify and stamp them, if practicable, with the date of verification.

7. **Secondary Standard Balances.**—(1) A set of secondary standard balances shall be maintained at every place where the secondary standards are kept.

(2) The number, types and specifications of such balances shall be as laid down in Schedule III.

(3) The Superintendent shall cause to be verified such balances at least once in every twelve months and shall cause them to be adjusted, if necessary, to make them correct within the limits of sensitiveness and to be stamped with the date of verification.

8. **Working Standard Balances.**—The Superintendent shall supply to every Inspector a set of working standard balances with each set of working standards.

(2) The types and specifications of such balances shall be as laid down in Schedule IV.

(3) The Superintendent shall cause to be verified such balances at least once in every twelve months and shall cause the same to be adjusted, if necessary, to make them correct within the limits of sensitiveness and to be stamped with the date of verification.

9. *Commercial Weights and Measures.*—(1) Commercial weights and measures of length and capacity shall conform as regards denominations, material used in construction and design to the specifications laid down in Schedule V.

(2) Subject to any rules that may be made under the Standards of Weights and Measures Act, 1956 the limits of error which may be tolerated in such weights and measures during verification and inspection, shall be as specified in Schedule V.

*Notes.*

Section 9 of the Act requires that, "Every weight or measure manufactured for use as a commercial weight or measure shall bear the description of the weight or measure, which it purports to be marked legibly on it in such manner as may be prescribed.

This rule fulfills the requirements of this section.

10. *Weighing and Measuring Instruments.*—(1) All weighing and measuring instruments used, or intended to be used, in transactions for trade or commerce shall conform as regards capacities, material and design, to the specifications laid down in Schedule VI.

(2) Subject to any rules that may be made under the standards of Weights and Measures Act, 1956, the limits of error which may be tolerated in such weighing and measuring instruments during verification and inspection, shall be as specified in Schedule VI.

(3) Notwithstanding anything contained in sub-rules (1) & (2), where any weighing or measuring instrument in use at the commencement of these rules is converted to the metric system and its capacity after conversion cannot be made to conform to any of the specifications laid down in Schedule VI, such instrument may continue to be used but the limits of error which may be tolerated in such instrument during verification and inspection shall be as for the same type of instrument of the next higher capacity specified in the said schedule.

*Notes.*

The matters, referred to in section 6 of the Act reading as under, have been prescribed under this rule :—

6. *Standard weighing and measuring instruments.*—(1) For the purpose of verifying the correctness of commercial weights and measures and of weighing and measuring instruments used in transactions for trade or commerce, the State Government may cause to be prepared as many sets of weighing and measuring instruments as it may deem necessary.

(2) Such instruments shall be of such kind and kept in such number and shall be verified and in such manner as may be prescribed.

(3) Such instruments shall be kept at all places where secondary standards or working standards are kept.

11. *Commercial weights etc. to be verified periodically.*—All weights, measures and weighing and measuring instruments used, or intended to be used, in transactions for trade or commerce shall be verified and stamped in accordance with the Act and these rules at least once in every period of two years:

Provided that in the case of bullion and precious stones and Railways within the meaning of the Indian Railways Act, 1890 and the Factories within the meaning of the Factories Act, 1948, the said period shall be one year.

12. *Inspection and verification of weights etc.*—(1) An Inspector shall visit every factory and other place in the area under his charge where weights, measures, and weighing and measuring instruments are used, or kept for use, in transactions for trade or commerce, for verifying the same at least once during the period specified in rule 11, and may also, from time to time, make such surprise visits as he may deem necessary.

(2) All weights, measures and weighing and measuring instruments shall be tested in a clean condition, and if necessary, the Inspector shall require the owner or user to clean them.

(3) Where a weight or measure or weighing or measuring instrument is brought to any Inspector for re-verification, the Inspector shall deal with it in the same manner as upon verification but it shall not be necessary for him to test a glass or earthenware measure, unless the original stamp has been defaced.

(4) The denomination or capacity of a weight, measure, weighing or measuring instrument, if not marked in full, shall be indicated by one of the abbreviations specified in Schedule VII.

13. *Stamping of weights etc.*—(1) Before stamping any weight, measure or weighing or measuring instrument, the Inspector shall satisfy himself that such weight, measure, weighing or measuring instrument complies with the requirements of the Act and these rules.

(2) Any weight, measure, weighing or measuring instrument presented for verification shall be complete in itself, and shall not bear a manufacturer's or dealer's mark which might be mistaken for the Inspector's stamp.

(3) The Inspector shall stamp every weight, measure and weighing and measuring instrument with a stamp of uniform design issued by the Superintendent, indicating the area or district in which it has been stamped or the Inspector by whom it is stamped or both :

Provided that :—

(a) no weight, measure, weighing or measuring instrument shall be stamped, which is not, in the opinion of the Inspector, sufficiently strong to withstand the wear and tear of ordinary use in trade; and

(b) no weighing or measuring instrument manufactured after the coming into force of these rules other than Class A beam scales shall be stamped unless provided by the manufacturer with a plug or stud of soft metal on which to place the Inspector's stamp, such plug or stud being made irremovable by under-cutting or in some other suitable manner.

(4) The Inspector shall also mark the date of stamping on all weights, measures (other than glass, earthenware and enamelled metal measures) and weighing and measuring instruments, except when the size of such weight, measure, or instrument makes it impracticable.

(5) On completion of verification and stamping, the Inspector shall issue a certificate of verification in the form specified in Schedule VIII, to the trader.

#### Notes.

Section 10 of the Act provides that, "No commercial weight or measure or weighing or measuring instrument shall be sold or delivered unless it has been verified or re-verified in accordance with the rules made under this Act and stamped in the prescribed manner by an Inspector with a stamp of verification.

Rules 11 and 12 prescribe the manner of verification and stamping as required under section 10 of the Act. Section 16 of the Act further provides that, "(1) Every Inspector or Assistant Inspector shall, for the purpose of verification of weights and measures and weighing and measuring instruments, attend at such place and time within his jurisdiction as may be appointed in this behalf by the Superintendent.

(2) The Inspector, shall verify every weight or measure or weighing or measuring instrument which is brought to him for the purpose of verification and if he finds such weight or measure or weighing or measuring instrument correct and in conformity with the Standards of Weights and Measures Act, 1956 (Central Act 89 of 1956), and the rules made thereunder, he shall stamp the same with a stamp of verification in the prescribed manner.

14. *Transitional provisions.*—Weights, measures and weighing and measuring instruments, which do not conform to the requirements of these rules but which conform to the requirements of the Rajasthan Weights and Measures Rules, 1956, shall be verified and stamped, so far as may be, in accordance with these rules, so long as the use of such weights and measures and weighing and measuring instruments is permitted under the Standards of Weights and Measures Act, 1956 (Central Act No. 89 of 1956).

15. *Procedure for carrying out inspection etc.*—In carrying out his duties of inspection, verification and stamping of weights, measures and weighing and measuring instruments, *in situ* the

Inspector shall observe the procedure laid down in Schedule IX in addition to that laid down in Schedules V and VI.

16. *Monthly report of Inspector.*—Every Inspector shall submit a monthly report to the Superintendent showing the work done by him, in a form approved by the Superintendent.

17. *Obliteration of Stamps.*—The Inspector, on inspection, shall obliterate the stamp on—

(a) any weight, measure, or weighing or measuring instrument which cannot be made to conform to the requirements of these rules;

(b) any weight or measure, if it does not admit of proper adjustment owing to its being broken, indented or otherwise defective;

(c) any weight or measure or weighing or measuring instrument which since the last stamping has been repaired or re-adjusted so as to cease to conform to the requirements of these rules;

(d) any weight or measure or weighing or measuring instrument due and not submitted for re-verification and stamping;

(e) any weight or measure of length of capacity or a weighing or measuring instrument, if the error exceeds the limits allowed at the time of inspection:

Provided that where the error referred to in clause (e) is not, in the Inspector's judgement, such as to require the immediate obliteration of the stamp, he shall serve a notice on the trader, informing him of the defects found in the weight, measure or weighing or measuring instruments, and calling upon him to remove the defects within a stated period not exceeding eight days and shall —

(i) if the trader fails to have them corrected within that period obliterate the stamp; or

(ii) if the weight, measure or weighing or measuring instrument is adjusted to remove the defects within the stated period, re verify the weight, measure or weighing or measuring instrument and stamp the same, if found correct:

Provided further that where the defect in a weighing instrument may be corrected by re-balancing, the stamp shall not be obliterated.

18. *Fees for verification, adjustment and stamping.*—(1) Fees payable for verification and stamping of weights, measures, and weighing and measuring instruments at the office of the Inspector shall be as specified in Schedule X.

(2) If verification is done at any premises other than the office of the Inspector, an additional fee shall be charged at half the rates

specified in Schedule X and the owner or user, as the case may be, of the weight, measure or weighing or measuring instrument, shall also pay travelling and daily allowance admissible under relevant Government rules to the Inspector for visiting the premises, including the cost of transporting and handling the working standards, balances and other equipment:

Provided that no additional fee shall be charged for verification and stamping *in situ* of—

(a) petrol or fuel vehicles, weighbridges, dormant platform machines and such other instruments as may be specified in this behalf by the Superintendent, and

(b) weights, measures and weighing and measuring instruments in the premises of a manufacturer, or stockist, of such weights, measures and instruments.

(3) An Inspector may carry out minor adjustments on payment of such additional fees as may be fixed by the Superintendent in each case.

(4) A weight, measure, weighing or measuring instrument, which on verification is found to be incorrect, shall be returned to the person concerned for adjustment, informing him in writing of the defects found in the same. When the necessary adjustment has been carried out, such weight, measure, weighing or measuring instrument shall be re-verified on payment of half the rate specified in Schedule X and if found correct shall be stamped.

19. *No fees to be charged for re-stamping within a certain period.*—Notwithstanding anything in rule 18, no fee shall be payable for re-stamping any weight, measure or weighing instrument, within the period specified in rule 11 from the date on which it was last stamped, provided the original stamp was not obliterated under rule 17.

20. A weight, measure, or weighing or measuring instrument, which on verification as provided in rule 11, is found to be incorrect, shall be returned to the person concerned for adjustment. When the necessary adjustment has been carried out, such weight, measure or weighing or measuring instrument shall be re-verified on payment of 25% of the prescribed fees and if found correct shall be stamped.

21. *Collection of fees and deposit into the Treasury.*—(1) Before commencing the work of verification or re-verification, the Inspector shall inform the person concerned of the fees payable by him under these rules and shall receive the same and issue a receipt in the form approved by the Superintendent, two copies of such receipt being kept on record.

(2) The Inspector shall maintain a register which shall be written up from day to day and shall show the amount of fees and carriage charges collected during the day.



(3) All payments, received by the Inspector during the preceding week shall be paid into the Government Treasury every Monday for credit to the Head 32 Industries and Supplies—C—other Miscellaneous receipts (Weights and Measures), receipt obtained and intimation to that effect sent to the Superintendent.

*Notes.*

Rules 18, 19, 20 and 21 have been framed in pursuance of section 21 of the Act which authorises the levy of fees for—

(a) for the grant of licences under section 13 for manufacture, repair or sale of commercial weights and measures and weighing and measuring instruments, and

(b) for the verification, marking, stamping and adjustment of commercial weights and measures and weighing and measuring instruments.

22. *Seizure, detention and disposal of unauthorised weights, measures and instruments.*—(1) (i) Weights and measures, beam scales, spring balances, counter machines and steel yards shall be liable to be seized and detained if:—

(a) They are not of the denominations specified in Schedules V and VI;

(b) they are false or defective;

(c) fraud is committed in using them;

(d) they are un-stamped;

(e) the stamp on them is forged or transferred.

(ii) Weighing and measuring instruments other than those specified in clause (i) shall be liable to seizure and detention in cases (b), (c) and (e) of that clause.

(2) Any weight or measure or weighing or measuring instrument or any other articles seized and detained under this rule or in pursuance of section 17, which are not to be the subject of proceedings in a court, shall after the expiry of one month after seizure, be so dealt with as the Superintendent may by general or special order direct, and the materials thereof shall be sold and the proceeds credited to the Government.

(3) Any weight or measure or weighing or measuring instrument seized and detained under this rule, which is to be the subject of proceedings in a court, shall be produced by the Inspector before the court and shall, after conclusion of the proceedings, be taken possession of by the Inspector and dealt with in accordance with the instructions issued by the Superintendent in this behalf.

*Notes.*

Rules 15, 16, 17 and 22 are meant to cover the matters referred to in section 17 of the Act.

23. *Qualifications of Inspectors.*—No person shall be appointed as Inspector unless he:—

(i) is a graduate of a recognised University preferably in Science or Engineering, or holds a recognised diploma in Engineering.

(ii) is able to speak, read and write one of the regional languages of the State ; and

(iii) on selection, has satisfactorily completed at least six weeks' training in a Department of Government responsible for the Enforcement of Weights and Measures:

Provided that in case of Assistant Inspectors the academic qualification, prescribed above shall be Matriculation preferably with Science.

(2) Nothing in sub-rule (1) shall apply to persons who have been working as Inspectors for a period of not less than a year immediately before the commencement of these rules;

24. *Duties of Inspectors.*—The duties of an Inspector are:—

(a) Verification and stamping of weights and measures etc.;

(b) Inspections;

(c) Collection of fees and other charges, and submission of the reports and returns prescribed in the rules or required by the Superintendents;

(d) Safe custody of articles seized and detained in the course of his duty;

(e) Safe and proper custody of the secondary and working standard and other equipment entrusted to his charge;

(f) Maintenance of such books as may be specified by the Superintendent.

25. *Licensing of manufacturers, repairers, and dealers of weights, measures, etc.*—(1) Every manufacturer or repairer of, or dealer in, weights, measures or weighing and measuring instruments shall obtain a licence from the Superintendent in the form set out in Schedule XI; such licence may be renewed from year to year.

(2) The fees payable for such licence and its renewal shall be as specified in Schedule XII.

(3) The Superintendent may, by order, refuse to grant or renew the licence or suspend or cancel the licence of a manufacturer or repairer, of or dealer in, weights, measures, weighing and measuring instruments on the ground of want of proper and adequate workshop facilities or staff or incompetency or failure to observe any provisions of the Act or these rules:

Provided that no such order shall be made without giving the aggrieved person an opportunity of stating his case.

(4) The Superintendent shall maintain a register of licensed manufacturers, repairers and dealers in the form set out in Schedule XIII.

26. *Records to be maintained by manufacturer etc.*—Every manufacturer or repairer of, or dealer in weights, measures or weighing and measuring instruments shall maintain such records in such form and submit such returns as the Superintendent may direct.

*Notes.*

Rules 25 and 26 have been framed under the authority of section 13 of the Act.

27. *Certificate of verification to be exhibited.*—The person to whom a certificate of verification is issued shall exhibit the same in a conspicuous place in the premises where the weights, measures or weighing or measuring instruments to which the certificate relates are used and in case of hawkers, and persons selling goods in weekly bazars, such certificate shall be kept on his person.

28. *Penalty.*—Any person who contravenes any provision of these rules shall be punishable with fine which may extend to one hundred rupees.

*Notes.*

Sub-section (3) of section 42 of the Act requires that the breach of any rule made under sub-section (1) and (2) of section 42 shall be punishable with fine which may extend to Rs. 100/-,

29. *Form and manner of appeal.*—An appeal under section 20 of the Act shall be in the form of memorandum setting forth concisely the grounds of objections to the decision which is the subject of appeal and shall be accompanied by the original or a certified copy of that decision. A fee of Rs. 2/ shall be paid in respect of each appeal in the form of court fee stamp affixed to the memorandum of appeal.

*Notes.*

Right of appeal is conferred under section 29 of the Act.

“30. *Exemption from observing requirements.*—Where in the special circumstances in any case, it appears to an Inspector to be impracticable to comply literally with any requirement of these rules, he shall consult the Superintendent and the Superintendent may, on such reference, if he thinks fit, dispense with the observance of such requirement.

*Notes.*

Section 12 of the Act provides that, “Where the size of a commercial weight or measure renders it impracticable to have a denomination marked on it under the provisions of section 9 or to be stamped under the provisions of section 10 or section 11, the State Government may, by notification in the Official Gazette, exempt such weight or measure from being so stamped.

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### SCHEDULE I

**Denominations, Material, Shape, Permissible errors of Secondary Standards of Weights & Measures.**

(See Rule 4)

#### 1. SECONDARY STANDARD WEIGHTS

**Denominations:—**

Kilogram Series	Gram Series	Milligram Series
1	2	3
10	500	500
5	200	200
	200	200
	100	100
2	50	50
2	20	20
	20	20
	10	10
1	5	5
	2	2
	2	2
	1	1

**Material:—**

(a) Weights of 10 kg to 1 g shall be cast from admiralty bronze of the following composition:—

Constituent	Per cent
Tin	9.50 to 10.50
Zinc	1.50 to 2.50
Lead (Max.)	0.50
Nickel (Max.)	1.00
Other elements total (Max.)	0.15
Copper	Remainder

(b) Weights of 500 mg shall be made of cupro-nickle having a nominal composition of 75 per cent Copper and 25 per cent Nickel.

(c) Weights of 20 mg to 1 mg shall be made of commercially pure aluminium sheets.

**Shape:—**

(a) For kilogram and gram series Integral cylindrical body with knobs flattened at the top.

(b) For milligram series, the weights shall be in the form of square sheets, one of the corners being bent at right angles.

**Permissible errors:—**

The permissible errors in excess and in deficiency shall be as follows:—

Denomination	Permissible Error	
	in excess mg	in deficiency mg
1	2	3
10 kg	50	25
5 kg	25	12.5
2 kg	15	7.5
1 kg	10	5
500 g	5	2.5
200 g	4	2
100 g	3	1.5
50 g	2	1
20 g	1.5	0.75
10 g	1	0.5
5 g	0.8	0.4
2 g	0.6	0.3
1 g	0.4	0.2
500 mg	0.4	0.2
200 mg	0.2	0.1
100 mg	0.2	0.1
50 mg	0.1	0.05
20 mg	0.1	0.05
10 mg	0.05	0.02
5 mg	0.05	0.02
2 mg	0.05	0.02
1 mg	0.02	0.02

## 2. SECONDARY STANDARD CAPACITY MEASURES

**Denominations:—**

Litre Series (l)	Millilitre Series (ml)
5	500
2	200
1	100
	50
	20
	10

**Material:—**

Secondary measures of capacity shall be cast out of admiralty bronze of the same composition as is employed in the case of secondary standard weights.

**Shape:—**

(a) The 5 litre measure shall be cylindrical and have its inside diameter equal to the height of the measure. This shall have two handles attached securely to its sides.

(b) Measures of 2 litres and below shall be of the same shape as above but shall not have any handles.

(c) The denominations of the measures shall be engraved on the outside surface.

(d) Each set of measures shall be supplied with specially selected striking glasses.

**Permissible errors:—**

The permissible errors in excess and in deficiency shall be as follows:—

Denomination.	Permissible error	
	in excess	in deficiency
5 l	g 2	g 2
2 l	1	1
1 l	0.8	0.8
500 ml	0.5	0.5
200 ml	0.4	0.4
100 ml	0.3	0.3
50 ml	0.2	0.2
20 ml	0.1	0.1
10 ml	0.1	0.1

## SCHEDULE II

(See Rule 5)

**Denominations, Material, Shape, Permissible errors for Working Standards of Weights & Measures.****1. WORKING STANDARD WEIGHTS (For Cast Iron and Non-bullion weights)****Denominations:—**

Kilogram Series 1	Gram Series 2	Milligram series 3
	500	500
20	200	200
10	200	200
	100	100
5	50	50
2	20	20
2	20	20
1	10	10
	5	5
	2	2
	2	2
	1	1

**Material:—**

(a) Weights of 20 kg to 1 g shall be cast from admiralty bronze or cupro-nickel of the following composition:—

Constituent 1	Per cent 2
------------------	---------------

**Admiralty Bronze:—**

Tin	9.50 to 10.50
Zinc	1.50 to 2.50
Lead (Maximum)	0.50
Nikel (Maximum)	1.00
Other elements	0.15
Total, maximum	
Copper	Remainder

**Cupro-Nickel:—**

Copper	75
Nickel	25

(b) Weights of 500 mg or 100 mg shall be made of admiralty bronze (rolled) sheets. (Composition as in (a) above).

(c) Weights of 50 mg to 1 mg shall be made out of commercially pure aluminium sheets.



## 2. SECONDARY STANDARD CAPACITY MEASURES

**Denominations:—**

Litre Series (1)	Millilitre Series (ml)
5	500
2	200
1	100
	50
	20
	10

**Material:—**

Secondary measures of capacity shall be cast out of admiralty bronze of the same composition as is employed in the case of secondary standard weights.

**Shape:—**

(a) The 5 litre measure shall be cylindrical and have its inside diameter equal to the height of the measure. This shall have two handles attached securely to its sides.

(b) Measures of 2 litres and below shall be of the same shape as above but shall not have any handles.

(c) The denominations of the measures shall be engraved on the outside surface.

(d) Each set of measures shall be supplied with specially selected striking glasses.

**Permissible errors:—**

The permissible errors in excess and in deficiency shall be as follows:—

Denomination.	Permissible error	
	in excess	in deficiency
	g	g
5 l	2	2
2 l	1	1
1 l	0.8	0.8
500 ml	0.5	0.5
200 ml	0.4	0.4
100 ml	0.3	0.3
50 ml	0.2	0.2
20 ml	0.1	0.1
10 ml	0.1	0.1

## SCHEDULE II

(See Rule 5)

**Denominations, Material, Shape, Permissible errors for Working Standards of Weights & Measures.****1. WORKING STANDARD WEIGHTS (For Cast Iron and Non-bullion weights)****Denominations:—**

Kilogram Series 1	Gram Series 2	Milligram series 3
	500	500
20	200	200
10	200	200
	100	100
5	50	50
2	20	20
2	20	20
1	10	10
	5	5
	2	2
	2	2
	1	1

**Material:—**

(a) Weights of 20 kg to 1 g shall be cast from admiralty bronze or cupro-nickel of the following composition:—

Constituent 1	Per cent 2
------------------	---------------

**Admiralty Bronze:—**

Tin	9.50 to 10.50
Zinc	1.50 to 2.50
Lead (Maximum)	0.50
Nikel (Maximum)	1.00
Other elements	0.15
Total, maximum	
Copper	Remainder

**Cupro-Nickel:—**

Copper	75
Nickel	25

(b) Weights of 500 mg or 100 mg shall be made of admiralty bronze (rolled) sheets. (Composition as in (a) above).

(c) Weights of 50 mg to 1 mg shall be made out of commercially pure aluminium sheets.

**Shape:—**

(a) Weights of 20 kg and 10 kg shall be cylindrical in shape and shall be cast in two halves, the top half being screwed snugly into the bottom half. The top half shall be cast in the form of a handle for lifting purposes. The two halves after assembly shall be locked by means of a Setscrew over which the seal of the verifying authority shall be stamped.

(b) Weights of 5 kg to 200 g (inclusive) shall be cast in two halves, the top half being screwed snugly into the bottom half. The top half shall be cast in the form of a knob for lifting purposes. The two halves, after assembly shall be locked by means of a Setscrew, over which the seal of the verifying authority shall be stamped.

(c) Weights of 100 g to 10 g shall be as (b) above except that there shall be no locking arrangement.

(d) Weights of 5 g to 1 g shall be integral solid weights.

(e) Weights of 500 mg to 1 mg (inclusive) shall be of square shape with one of the sides bent at right angles to the flat surface for ease of handling:—

**Permissible errors: —**

The permissible errors in excess and in deficiency shall be as follows:—

Denomination	Permissible errors	
	in excess mg.	in deficiency mg.
20 kg	200	100
10 kg	100	50
5 kg	50	25
2 kg	30	15
1 kg	20	10
500 g	10	5
200 g	8	4
100 g	6	3
50 g	4	2
20 g	3	1.5
10 g	2	1
5 g	1.6	0.8
2 g	1.2	0.6
1 g	0.8	0.4
500 mg	0.8	0.4
200 mg	0.4	0.2
100 mg	0.4	0.2
50 mg	0.2	0.1
20 mg	0.2	0.1
10 mg	0.1	0.05
5 mg	0.1	0.05
2 mg	0.1	0.05
1 mg	0.05	0.05

## 2. WORKING STANDARD CAPACITY MEASURES

**Denomination:—**

Litre Series (l)	Millilitre Series (ml)
20	500
10	200
5	100
2	50
1	20
	10

**Materials of Construction:**

Working Capacity Standards shall be pressed out of oxygen free, deoxidised annealed copper sheets of deep drawing quality.

**Shape:—**

(i) Working standard capacity measures of 10 liters shall be cylindrical with the handles securely fixed to the sides.

(ii) All other working standard capacity measures shall also be cylindrical, but shall not be provided with handles. The diameter of each measure shall approximately be equal to the height of the measure. The measures shall be suitably reinforced.

(iii) The denominations of the working standard measures shall be engraved on the outside surface.

(iv) The outside of the body of the working standard measure shall be oxidised to give a smooth dull black surface and the inside shall be tinned.

(v) Each set of working standard capacity measure shall be supplied with specially selected striking glasses and the measures and glasses shall be securely packed in velvet lined teakwood boxes.

**Permissible Errors:—**

Denomination	Permissible Errors	
	in excess (in ml)	in deficiency (in ml)
10 l	8	8
5 l	4	4
2 l	2	2
1 l	1.5	1.5
500 ml	1.8	1.0
200 ml	0.8	0.8
100 ml	0.6	0.6
50 ml	0.4	0.4
20 ml	0.2	0.2
10 ml	0.2	0.2

## SCHEDULE III

(See Rule 6 &amp; 7)

**Specifications for Precision and Secondary Standard Balances Range of Balances:—**

Capacities	Sensitiveness mg/division of scale
20 kg	5
5 kg	1
1 kg	0.5
200 g	0.05 or 0.1
20 g	0.01
2 g	0.005

NOTE:—

1. Precision and Secondary Standard Balances shall be used only for indoor work in laboratories and shall be handled carefully by competent trained personnel. The balances shall be designed according to well established practices of Precision Balance manufacturers.

2. Both Precision and Secondary Standard Balances shall be manufactured to the specifications given above.

## SCHEDULE IV

(See Rule 8)

**Specifications for Working Standard Balances****1. Range of Balances :—**

Capacity	Sensitiveness mg/division of scale	Approximate Beam Length
50 kg	100	750 mm
5 kg	10	250-300 mm
200 g	1.0	150-200 mm
2 g	0.02	120-150 mm

2. *Types.*—Working Standard Balances shall be of both indoor and outdoor types.

3. *Design & Construction.*—The balances shall be constructed of non-magnetic materials and shall be robust in construction. They shall be capable of being easily assembled. Outdoor type balances shall be fitted in suitable carrying cases to enable the balances to withstand rough transport conditions. Smaller balances i.e., capacity 5 kg and below shall be provided with glass cases. Portable balances of capacity 5 kg and below shall be fitted into one carrying case for ease of transportation.

## SCHEDULE V

(See Rule 9)

**Specifications for Commercial Weights and Measures of Length and Capacity.***Part I—Commercial Weights (Other than carat Weights).***1. Denominations :—**

The denominations of the different types of weights shall be as follows:—

*(a) Iron and Steel Weights.—*

50 kg	500 g
20 kg	200 g
10 kg	100 g
5 kg	
2 kg	
1 kg	

*(b) Brass and Bronze Weights:—*

Bullion.		Other than Bullion.	
20 kg	500 g	1 kg	500 g
10 kg	200 g		200 g
5 kg	100 g		100 g
2 kg	50 g		50 g
1 kg	20 g		20 g
	10 g		10 g
	5 g		5 g
	2 g		2 g
	1 g		1 g

*(c) Sheet Metal Weights.—(Bullion and other than Bullion).*

500 mg
200 mg
100 mg
50 mg
20 mg
10
5
2
1

The actual series to be used in practice shall consist of two weights of denominations 2, 20 or 200.

**2. Iron and Steel Weights :—***(a) Materials.—*Weights of 50 kg and down to and including 5 kg shall be made only of cast iron. Cast iron weights may preferably be made from material conforming to grade 10

B of IS : 210-1950. Weights of 2 kg and down to and including 100 g shall either be made of cast iron or forged mild steel as specified by the purchaser. Mild steel weights may preferably be made from material conforming to steel designation B of IS: 226-1955.

- (b) *Shapes and Dimensions.*—The shapes and dimensions of cast iron weights shall conform to Figs. 1 and 2 read with Tables 1 and 2 and those of mild steel shall conform to Fig. 2 read with Table 2.

Fig.—1. Cast Iron Weight with  
cast in Handle

Fig.—2. Cast Iron or Forged  
Mild Steel Weight

TABLE 1.—Dimensions of Cast Iron Weights with Handle.

Denomination.	A	B	C	D	E	G	P	Q	R	S	T
1	2	3	4	5	6	7	8	9	10	11	12
50 kg      ....	... 236	253	134	170	100	27	58	48	24	102	32
20 kg      ....	... 188	200	112	113	90	21	44	38	19	66	22
1	2	3	4	5	6	7	8	9	10	11	12
10 kg      ....	... 152	161	92	88	74	18	36	30	15	54	19
5 kg      ....	... 125	132	75	65	62	15	29	25	12	40	16

All dimensions in millimetres Tolerance on dimensions + -5 per cent.

TABLE 2.—Dimensions of Cast Iron or Forged Mild Steel Weights.

Denomination.	A	B	C	D	H	P	Q	R	S	T
2 kg      ....	... 94	101	76	40	10	34	30	9	18	4
1 kg      ....	... 73	79	60	34	8	32	28	8	16	4
500 g....	... 57	62	46	27	6	23	20	6	13	3
200 g....	... 43	47	36	21	6	22	20	4	9	3
100 g....	... 34	36	28	16	4	18	16	3	7	2.5

All dimensions in millimetres Tolerance on dimensions:—

- (a) For weights above 1 kg      ....      +—5 per cent.  
 (b) For weights 1 kg and below      ....      +—10 per cent.  
 (c) *Cast-in-Handles.*—Weights of denominations of 50 kg and down to and including 5 kg shall be provided with cast-in-handles made of mild steel which may conform to steel designation B of IS : 226-1955.  
 (d) *Nesting of Weights.*—Weights of denominations of 2 kg and down to and including 100g shall nest with each other.

- (e) *Loading Holes.*—Weights with cast-in-handles (See Fig.1) shall have one rectangular loading hole on the under surface, tapering out-side along the width while the nesting-weights (See Fig. 2) shall have one round loading hole, tapering outwards in the centre of the underside.

(f) *Permissible errors:—*

Denomination.	Verification.	Inspection.	
	Errors in excess only.	Excess.	Deficiency.
1	2	3	4
	mg.	mg	
50 kg	20,000		10,000
20 kg	10,000		5,000
10 kg	5,000		2,500
5 kg	3,000	Errors same as in verification.	1,500
2 kg	1,600		800
1 kg	1,000		500
500 g	600		300
200 g	400		200
100 g	320		160

Note:—New Weights, when presented for checking and stamping, shall not weigh less than the denomination value plus 50 percent. of the excess tolerance shown above.

### 3. Brass and Bronze Weights:—

- (a) *Materials.*—The weights shall be made of cast brass or cast bronze, or processed from brass rods. The cast brass and brass rods may preferably conform to Grade 3 of IS : 292-1951 and to IS : 319-1951, respectively. Cast bronze may preferably conform to Grade 2 of IS : 306-1951.

- (b) *Shapes and Dimensions.*—Brass and bronze weights shall be of the following types:—

- (1) *Bullion Weights.*—(i) Weights of denominations of 20 kg and down to and including 1 g, shall be cylindrical in shape, with a handle for 20 kg and 10 kg weights, and a knob for the rest of the denominations. Shapes and dimensions shall conform to Fig. 3 and 4 read with Tables 3 and 4, respectively, weights of 20 kg down to and including 20 g, shall be marked with the words 'Bullion' and 'बुलियन' with a "diamond" as shown in Fig. 3 and 4, and weights of 10 g and below shall be marked with only a 'diamond'.



Fig. 3.—Cylindrical Bullion Weights with Handle.

Fig. 4.—Cylindrical Bullion Weight with knob.

TABLE 3.—Dimensions of Cylindrical Bullion Weights with Handle.

Denominations	A	B	C	D	E	F	G	H	L	J	K	S
20 kg	....133	157	71	106	41	16	55	51	25	26	14	25
10 kg	... 106	130	64	85	33	14	50	49	25	26	13	25

All dimensions millimetres.

Tolerance on dimensions + — 5 per cent.

TABLE 4.—Dimensions of Cylindrical Bullion Weights with Knob.

Denomination	A	B	C	D	E	F	G	H	L	J
5 kg	....86	88	41	56	37.5	22.5	18.5	38	19	20
2 kg	....64	67	27	39	24	14	13	27	17	17.5
1 kg	....50	50	23.5	33	21	12	11.5	25	16	17
500 g	....41	29	20	25	17	10.5	8.5	19	16	17
200 g	....32	29	16	20	12	9	7	13.5	13	13.5
100 g	....24	24	12	17	9.5	6	6	11	11	12
50 g	....19	19	10	14	8	5	5	9	9.5	10
20 g	....14	14	6	10	6	3	3	6	6	7
10 g	....11	11	5	8	5	3	2	....	....	....
5 g	.... 9	9	4	6	4	2	2	....	....	....
2 g	.... 6	6	3	4	2	1.5	1.5	....	....	....
1 g	.... 6	6	2	3	1	1	1	....	....	....

All dimensions in millimetres

Tolerance on dimensions :

(a) For weights above 1 kg + — 5 per cent.

(b) For weights 1 kg and below + — 10 per cent.

- (ii) Weights of denominations 1 kg and down to and including 1 g shall be flat cylindrical in shape (without a knob) and shall nest with each other. Shapes and dimensions shall conform to Fig. 5 read with Table 5. Weights of 1 kg and down to and including 20 g shall be marked with the words 'Bullion' and 'बुलियन' within a 'diamond' as shown in Fig. 5 and weights of 10 g and below down to and including 1 g shall be marked with only a diamond.

Fig. 5.—Flat Cylindrical Bullion Weight,

TABLE 5.—Dimensions of Flat Cylindrical Bullion Weights.

Denominations	A	B	C	D	E	F	G	H
1	2	3	4	5	6	7	8	9
1 kg	....82.5	66.5	16	16	3	8.0	24	17
500 g	....65	49.5	16	13	2.5	7.75	19	17

200 g....	....48.0	38.5	13	9.5	2.5	4.75	14	14
100 g....	...37.5	29.5	11	7	2	4	11.5	12
50 g....	....28.5	22.5	9.5	6	1.5	3	10.5	10
20 g....	....21.5	17.5	8	4	1.5	2.0	7	8
10 g....	....16.5	13.5	....	....	1	1.5	6	....
5 g....	....12.5	10.5	....	....	1	1	5	....
2 g ..	....10	8	....	....	0.5	1	4	....
1 g....	....7.5	....	....	....	....	....	2.5	....

All dimensions in millimetres

Tolerance on dimensions + — 10 per cent.

(II) *Other than Bullion Weights.*—(For supplementing the Iron and Steel Series) weights of denominations 1 kg and down to and including 1 g shall be flat cylindrical in shape and shall have a distinct downward taper. Shapes and dimensions shall conform to Fig. 6 read with Table 6.

*Fig. 6:—Flat Cylindrical Weights.*

TABLE 6.—Dimensions of flat Cylindrical Weight.

Denomination.	A	B	C	D	E	F	G	J
1 kg	....84.5	58	16	76	4	15	25.5	20
500 g....	....64	46.5	16	56	3	14	23	20
200 g....	....50	34.5	13	45	2.5	9.5	15	15
101 g....	....38	26	11	33.5	2	9.5	13	13
50 g....	....29	20.5	10	25	2	8	11.5	12
20 g....	....22	16.5	8	19.5	1	4	8	10
10 g....	....17.5	12.5	....	16	1	....	6	....
5 g....	....13	10	....	11.0	1	....	5	....
2 g....	....10	7.5	....	9	0.5	....	3.5	....
1 g....	....8	....	....	6.5	....	....	2.5	....

All dimensions in millimetres.

Tolerance on dimensions + — 10 per cent.

(c) *Loading Holes.*—Weights of denominations 20 kg and down to and including 20 g shall have a round loading hole, tapering outwards in the centre of the underside (See Figs. 3, 4, 5 and 6).

(d) *Permissible Errors.*—

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Denominations.	Verification Errors in excess only.		Inspection.			
	Bullion Weights	Other than Bullion Weights.	Bullion Weights.	Other than Bullion Weights.		
				Excess.	Defici- ency.	Defici- ency.
	mg	mg	mg	mg	mg	mg
20 kg	500	....		250		....
10	250	....		125		....
5	150	....		75		....
2	80	....		40		....
1	50	250	Error	25	Error	125
500 g	30	150	same	15	same	75
200	20	100	as in	10	as in	50
100	16	80	verifi-	8	verifi-	40
50	12	60	cation	6	cation	30
20	10	50		5		25
10	8	40		4		20
5	6	30		3		15
2	4	20		2		10
1	2	10		1		5

## 4. Sheet Metal Weights :—

(a) *Materials.*—Sheet Metal Weights shall be made of stainless steel, aluminium, brass or nickel silver sheets. The aluminium and brass sheets may preferably conform respectively to IS : Designation NS 3 of IS : 737-1955 and Grade 4 of IS : 410-1953.

(i) *Nickel Silver Sheet.*—Nickel Silver Sheet should preferably have the following composition :—

Constituent.	Per cent. by Weight		
Copper	....	....	....63.0 to 66.5
Nickel	....	....	....17.5 to 19.5
Zinc	....	....	....Remainder.

(ii) *Stainless Steel Sheet.*—Stainless Steel Sheet should preferably conform to the following composition :—

Constituent. 1	Per cent. by Weight. 2		
Carbon max.	....	....	....0.16
Silicon, min....	....	....	....0.20
Manganese, max.	....	....	....2.00
Nickel ....	....	....	....7.0 to 10.0*
Chromium	....	....	....17.0 to 20.0*
Sulphur, max.	....	....	....0.045
Phosphorus, max.	....	....	....0.045

\*Nickle plus chromium not less than 25.0 per cent.

(b) *Shapes and Dimensions:—*

(I) *Other than Bullion Weights.*—After bending along one of the sides (See Fig. 7) the weights shall have the dimensions given in Table 7 and the following shapes:—

Denomination.	Shape.		
500, 50, 5	....	....	....Hexagon.
200, 20, 2	....	....	....Square.
100, 10, 1	....	....	....Triangle.

*Fig. 7.—Sheet Metal Weights*

TABLE 7.—Dimensions of Sheet Metal Weights.

Denomination	B <sup>1</sup>	B <sup>2</sup>	B <sup>3</sup>	H	G
mg					
500	....	....	12	4	2
200	....	9.0	....	3.5	2
100	....	9.0	....	3.5	2
50	....	....	9.5e	3	1.5
20	....	6.4	....	2.5	1.5
10	....	6.4	....	2	1.5
5	....	....	6.3	2	1
2	....	3.6	....	2	1
1	....	3.6	....	2	1

All dimensions in millimetres.

Tolerance on dimensions + — 10 per cent.

(II) *Bullion Weights.*—When intended for use in the Bullion trade, sheet metal weights, shall, after bending, have circular shape: their diameters shall be as given in Fig. 8 read with Table 8.

*Fig. 8.—Sheet Metal Bullion Weight.*

TABLE 8.—Dimensions of Sheet Metal Weights (Bullion).

Denomination.	D	C	H
1	2	3	4
mg			
500	11.0	2	2
200	10.0	2	2
100	9.0	2	2
50	8.0	1.5	2
20	6.3	1.5	1.6
10	5.6	1.5	1.6
5	5.0	1.0	1
2	4.0	1.0	1
1	3.2	1.0	1

All dimensions in millimeters

Tolerance on dimensions+ —10 per cent.

(c) *Permissible Errors:—*

Denomination	Veri- fication.	Errors in excess only.	Inspection.
	Bullion Weights.	Other than Bullion Weights.	Bullion Weights. Other than Bullion Weights.
	Excs.	Dfens.	Excs. Dfens.
mg	mg	mg	mg
500	1.6	8.0	0.8 4.0
200	1.2	6.0	0.6 3.0
100	0.8	4.0	Error 2.0
50	0.4	2.0	same 1.0
20	0.4	2.0	as in 1.0
10	0.2	1.0	verifi- 0.5
5	0.2	0.4	cation. 0.2
2	0.2	0.2	0.1 0.1
1	0.1	0.1	0.05 0.05

### 5. Manufacture and Finish:—

*General.*—When the weights are cast, the casting shall be reasonably smooth, and free from dross, pits, blow holes and other defects. When the weights are made by machining or forging, the surface shall be reasonably smooth. Sheet metal weights shall be clearly sheared and shall be free from burrs. Cast iron and forged weights shall be coated with a thin film of suitable black paint or varnish.

The raised markings on weights shall be clean and legible. The stamped marking on sheet metal weights shall be legible and deep enough to ensure indelibility over a long period, but not so deep as to crack the sheet.

When lead is used in adjusting weights, it shall be so fitted as to ensure that it does not dislodge itself under normal conditions of use.

The steel handles of cast iron weights shall be rigidly fixed.

## 6. Marking:—

Every weight, except weights of 10 g and lower denominations, shall have the manufacturer's name or trade mark indelibly cast or stamped on it.

The denominations shall be indicated in an indelible manner with the abbreviations 'kg' and 'किलो' to indicate kilogram, 'g' and 'ग्राम' to indicate gram, and 'mg' and 'मिली' to indicate milligram. The size of numerals and letters (letters need not be stamped on weights 50 mg and below) indicating denominations of weights shall be at least twice the size of letters indicating the manufacturers' name or trade mark. The numerals used in the denomination shall be only Indo-Arabic figures.

## 7. Adjustments.—

The weights provided with loading holes shall be adjusted by pouring the required weighted quantity of molten lead into the loading hole and pressing the lead firmly. The approximate distance of the lead from the surface shall be not less than 20 per cent of the minimum thickness of the weight when new. The lead used for adjusting may preferably conform to Grade Pb 99.8% of IS : 27-1956.

## PART II—COMMERCIAL CARAT WEIGHTS.

### 1. General.—

(a) Commercial Carat Weights shall be used in weighing precious stones and pearls.

(b) For ease of calculation and convenience of use, a carat is usually subdivided into 100 equal parts, called cents. A cent thus equals 2 mg. In the denominations of the commercial carat weights, the system followed is that where a fractional weight in the carat series occurs, that fraction is given as so many parts per 100 cents, e.g., 0.5 carat is designated as 50/100 carat.

### 2. Denominations.—

The denominations of carat weights shall be as follows. (The gram and milligram equivalents are shown against each for ready ref.):—

(a) *Knob Weights.*—

Denominations.	Equivalents.
Carat (c)	g
500	100
200	40
100	20
50	10
20	4
10	2
5	1

(b) *Sheet metal weights.*

Denominations.	Equivalent.
Carat (c)	mg
2	400
1	200
50/100	100
20/100	40
10/100	20
5/100	10
2/100	4
1/100	2
0.5/100	1

The actual series to be used in practice shall consist of two weights of denominations 2, 20 or 200 and 2/100, 20/100 Carats.

3. *Knob Weights.*—

(a) *Materials.*—The weights shall be made from rolled, drawn or extruded material and not cast.

The weights shall be made from brass, nickel silver, nickel chromium or bronze, which may preferably conform to the following.

(i) Brass—15 : 319-1951.

(ii) Nickel Silver—

Constituent.	Per cent
Copper	63.0 to 66.5
Nickel	17.5 to 19.5
Zinc	Remainder.

*Impurities.*

Iron, max	0.25
Manganese	0.25
Lead, max	0.05

## (iii) Nickel Chromium—

Constituent.	Per cent.
Carbon, max ....	0.10
Manganese, max ..	0.50
Chromium ....	19.0-21.0
Silicon, max ....	0.80
Copper, max ....	0.20
Iron, max ....	1.20
Nickel (small amounts of cobalt to be counted as nickel)	Remainder.

## (iv) Bronze:—

Constituent.	Per cent.
Copper ....	89.0-91.0
Tin ....	Remainder.
Impurities.	
Lead, max ....	0.05
Iron, max ....	0.05
Others (total) max ....	0.13

(b) *Shape and dimensions.*—The shape and dimensions of the weights shall be as shown in Fig. 9 and Table 9.

*Fig 9.—Knob Carat Weight*

TABLE 9.—Nominal Dimensions of Knob Carat Weights.

(All dimensions in mm).

Denomination (Carat)	A	B	C	D	E*	F*	G*	H	J
5 ....	5	2.0	6.3	1.5	1.0	0.75	0.20	7.99	2.49
10 ....	6	2.5	8.2	1.6	1.0	0.80	0.20	9.36	3.26
20 ...	7	3.0	10.5	1.7	1.0	0.85	0.25	11.07	4.37
50 ....	8	3.5	15.0	1.8	1.0	0.90	0.25	13.25	5.95
100 ....	9	4.0	19.0	2.0	1.0	1.00	0.30	15.71	7.71
200 ....	10	4.5	24.5	2.2	1.5	1.10	0.30	18.70	9.50
500 ....	12	5.0	33.2	2.5	1.5	1.25	0.40	23.76	10.5

\* Recommended dimensions.

(c) *Permissible Errors.*—

Denomination.	VERIFICATION	INSPECTION.	
	Errors in excess only.	Excess	Deficiency.
Carat (c)	mg	mg	mg
500	8.0		4.0
200	6.0	Errors same as in verification.	3.0
100	5.0		2.5
50	4.0		2.0
20	3.0		1.5
10	2.0		1.0
5	1.0		0.5



## 4. Sheet Metal Weights.—

(a) *Materials*.—Weights of denominations 10/100 carat and below shall be made of aluminium sheet which may preferably conform to NS 3 of IS : 737—1955. Weights of higher denominations shall be made of sheets of brass, aluminium, nickel, silver, nickel chromium or bronze, which may preferably conform to the following :—

- (i) Brass .... Grade 4 of IS : 410—1955.  
 (ii) Aluminium .... NS 3 of IS : 737—1955.  
 (iii) Nickel silver :—

<i>Constituent.</i>		<i>Per cent.</i>
Copper	....	63.0 to 66.5
Nickel	....	17.0—19.5
Zinc	....	Remainder.
<i>Impurities</i>		
Iron, max	....	0.25
Manganese, max	....	0.50
Lead, max	....	0.05
(iv) Nickel-Chromium	....	As in 3 (a)(iii).
(v) Bronze	....	As in 3 (a)(iv).

(b) *Shapes and Dimensions*.—Sheet metal weights shall be square with a raised corner to facilitate manipulation (See Fig. 10). They shall have the dimensions given in Table 10.

*Fig. 10.—Sheet metal carat Weights.*

Table 10.—Nominal Dimensions of Sheet Metal Carat Weights

Denomination (carat)	Side (a) mm
2	10
1	8
50/100	6.3
20/100	5.0
10/100	8.0
5/100	7.0
2/100	6.0
1/100	5.5
0.5/100	4.0

(c) *Permissible errors*.—

Denomination.	Verification.	Inspection.	
	Errors in excess only	Excess	Deficiency
1	2	3	4
Carat (c)	mg	mg	mg
2	0.8		0.4
1	0.6		0.3

1		2	3	4
50/100	....	0.4	Errors same as in verification.	0.2
20/100	....	0.2		0.1
10/100	....	0.2		0.1
5/100	...	0.1		0.05
2/100	....	0.1		0.05
1/100	....	0.1		0.05
0.5/100	....	0.1		0.05

## 5. Manufacture and finish.

The surface of the weights shall be reasonably smooth. Sheet metal weights shall be smoothly sheared and shall be free from burrs.

## 5. Marking.

Every weight, except weights of 50 carats and denomination, shall have the manufacturer's name or trade mark and the denomination indelibly stamped on it.

The denomination shall consist of the Indo-Arbi numeral prefixed and suffixed by the letters 'k' and 'c' respectively, except that in the case of weights below 50 carats, only the numerals shall be marked. The size of numerals and letters indicating denominations of weight shall be at least twice the size of letters indicating the manufacturer's name or trade mark.

The marking shall be legible and deep enough to ensure indelibility over a long period, but not so deep as to crack the weight itself.

## 7. Packing.

The weights shall be supplied in a suitable velvet-lined box. The small sheet metal weights shall be so housed and provided with a cover of glass or any other transparent material that they will not get dislodged from their proper places. The box shall also contain a pair of forceps for manipulating the weights.

## PART III.—COMMERCIAL LIQUID CAPACITY MEASURES.

### 1. General.

This Part deals with two types of cylindrical liquid measures, namely the dipping and the pouring types, and one type of conical measures. Cylindrical measures are generally used for measuring out commodities like milk while conical measures are generally used for mineral oils.

### 2. Denominations.

The denominations of the different types of measures shall be as under :—

## Cylindrical Measures.

Dipping type.	Pouring type.	Conical measures.
1	2	3
1 litre	2 litres	20 litres
500 ml	1 litre	10 litres
200 ml	500 ml	5 litres
100 ml	200 ml	2 litres
50 ml	100 ml	1 litre
20 ml	50 ml	500 ml
	20 ml	200 ml
		100 ml

## 3. Shapes and Dimensions.

- (a) The shape and dimensions of cylindrical measures (dipping and pouring types) shall be as shown in Figs. 11(A) and 11 (B) and Table 11.

*Fig. 11(A)* Dipping type  
Cylindrical Measures  
(Schematic).

*Fig. 11 (B)* Pouring type  
Cylindrical Measures  
(Schematic).

Table 11.—Nominal Dimensions of Cylindrical Capacity Measures.

Denominations.	D	H	B, max	G, min.	(SWG)
2 litres ....	120	180	360	1.6	(16)
1 litre ....	95	142	254	1.6	(16)
500 ml ....	75	112	224	1.6	(16)
200 ml ....	55.5	83	166	1.22	(18)
100 ml ....	44	66	132	1.22	(18)
50 ml ....	35	52	104	1.22	(18)
20 ml ....	26	38	76	0.91	(20)

Notes :—1. All dimensions in millimetres.

2. Tolerance on dimensions  $\pm 10$  per cent.

- (b) The shape and dimensions of conical measures shall be as shown in Fig. 12 and Table 12.

*Fig. 12.*—Pouring Type Conical Measures (Schematic).

Table 12.—Nominal Dimensions of Conical Capacity Measures.

Denominations	A	B	C	D	E	F	G	(SWG)	H	J	K
							Min.				
20 litres ..	97	388	388	208	194	390	0.91	(20)	12.5	86	29
10 litres ..	77	308	307	174	154	309	0.91	(20)	12.5	75	26
5 litres ..	61	244	245	147	122	247	0.71	(22)	12.5	65.5	24
2 litres ..	45	180	180	118	90	182	0.71	(22)	12.5	56	22
1 litre ..	36	143	143	95.5	72	145	0.56	(24)	12.5	45	18
500ml ..	28	114	113	74	56	115	0.56	(24)	12.5	35	14
200ml ..	21	84	84	53	42	86	0.56	(24)	12.5	24.5	10
100ml ..	17	66	67	41	34	69	0.56	(24)	12.5	18.5	7

Notes:—1. All dimensions in millimetres.

2. Tolerance on dimensions  $\pm$  10 per cent.

#### 4. Materials.

(a) *Cylindrical Measures* :—The body of cylindrical measures shall be pressed from aluminium alloy sheets, brass sheets, or stainless steel sheets. The minimum thickness of the sheets shall be as specified in Table 11, The aluminium alloy sheets and brass sheets and brass sheets may preferably conform to NS 3 of IS : 737—1955 and Grade 4 of IS : 410—1953, respectively.

(b) *Conical Measures*.—The conical measures shall be fabricated from galvanised steel sheets, aluminium alloy sheets, copper sheets, brass sheets, stainless steel sheets or tinplate, as may be specified by the purchaser. The minimum thickness of the sheets shall be as specified in Table 12. The galvanised steel sheets, aluminium alloy sheets, brass sheets and tin plate may preferably conform to Class I of IS : 277—1951, NS 3 of IS : 737—1955, Grade 4 of IS : 410—1953 and Grade I(CI) of IS : 597—1955, respectively.

(c) The handles for the measures shall be fabricated from the same material as that used for the body.

#### 5. Manufacture and finish.

(a) Measures made of brass sheets and copper sheets shall be well tinned or timplated uniformly all over the inside as well as the outside surfaces.

(b) The handles shall be of robust construction and shall be well formed and shaped generally as shown in Fig. 11 and Fig. 12. They shall be securely fixed to the body by means of riveting, soldering or brazing.

(c) The Measures shall be free from any surface defects and indentations and shall be smoothly finished at the top.

- (d) Cylindrical measures shall be provided with a well formed and proportioned spout to facilitate pouring.
- (e) Conical measures shall be provided with a retaining lip to avoid spilling. The retaining lip shall be provided with a brass plug with a collar to receive the lead for the inspector's seal. A small hole, about 5 mm in diameter, shall be provided at the bottom of the retaining lip to indicate the level to which the measures shall be filled and the hole shall be located on the side at right angle to the handle. The bottom of conical measures shall be suitably reinforced.
- (f) The measures shall be so designed that, when they are tilted to 120 degrees from the vertical, they shall become completely empty.
- (g) The finished measures shall have adequate robustness for durability.

#### 6. Permissible Errors.—

Verification		Inspection	
Errors in excess only			
Denomi- nation	Conical Measures ml	Cylindrical Measures Excess ml	Conical Measures Deficiency ml
20 l	....	100	Errors same
10	....	50	as in veri-
5	....	30	fication.
2	30	15	15
1	20	10	10
500 ml	15	8	7.5
200 ml	8	4	4
100 ml	5	3	2.5
50 ml	3	....	1.5
20 ml	2	....	1

#### 7. Marking.—

- (a) Every cylindrical measure shall have the denomination and manufacturer's name or trade mark indelibly stamped on it. In the case of conical measures, the denomination and manufacturer's name or trade mark shall be either embossed on the body or indelibly marked on a name plate securely fixed to the body.

- (b) The denomination shall consist of Indo-Arabic numerals and the abbreviation 'l' and 'लि' to indicate litre, and 'ml' and 'मिलि' to indicate millilitre. The size of numerals and letters indicating denominations on the measures shall be twice the size of the letters indicating the manufacturer's name or trade mark.

## PART IV

### DISPENSING MEASURES

#### 1. General.—

This part deals with two types of dispensing measures made of glass and transparent plastic materials, used for dispensing purposes

#### 2. Types and Denominations.—

Dispensing measures shall be of the following types and denominations:

- (a) *Conical Measures*:—200 ml, 100 ml, 50 ml, 20 ml, 10 ml and 5 ml.
- (b) *Beaker Measures*:—1000 ml and 500 ml.

#### 3. Materials.—

- (a) *Glass Measures*.—The measures shall be made of clear and transparent glass. They shall be well annealed; free from stones, cracks and chippings; and as free as possible from blisters and other defects. Lead glass shall not be used for the measures.
- (b) *Transparent Plastic Measures*.—The measures shall be made of a clear and transparent plastic material, manufactured from plasticised polyvinyl chloride or copolymer, the major constituent of which is polyvinyl chloride. The plastic material used shall not contain any constituents known to be injurious to health and likely to be extracted by contact with liquids.

#### 4. Definition of Capacity.—

The capacity corresponding to any graduation mark is defined as the volume of water at 27° C, expressed in millilitres, required to fill the measure to that graduation mark at 27° C, the observer's eye being level with the front graduation mark and the lowest point of the water meniscus appearing to touch the top edge of that mark.

#### 5. Conical Measures.—

- (a) *Shape*.—The measures shall be conical as shown in Fig. 13A to 13G; the 50 ml measures shall be either tall or squat as shown in Fig. 13 C and 13 D respectively.

Fig. 13A 200 ml	Fig. 13B 100 ml	Fig 13C 50 ml (Tall)	Fig. 13D 50 ml (Squat)	Fig. 13E 20 ml	Fig. 13F 10 ml	Fig. 13G 5 ml
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Fig. 13—Conical Measures.

(b) *Construction.*—

- (i) Each measure shall have a pouring lip. The form of the lip shall be such that, when the measure is filled with water to the highest graduation mark, the contents may be poured from the lip in a stream falling clear of the outside of the measure.
- (ii) Each measure shall have a base on which it shall stand vertically without rocking when placed on a horizontal surface. The size of the base shall be such that the measure when empty, shall not fall when placed on a plane inclined at  $15^\circ$  to the horizontal. The bottom of the measuring space, shall be uniformly rounded and shall merge smoothly into the sides of the measure.
- (iii) The wall thickness of the measures shall be sufficient to ensure sturdy construction and shall not show any local departures from uniformity.
- (iv) The external surface of the measure shall be a cone having an included angle of not less than  $13^\circ$  and not more than  $14^\circ$ .
- (v) The overall volume of the measure shall be such that when it is filled with water to the highest graduation mark and a volume of water equal to half its nominal capacity is added to it, there shall be no overflow. But, the addition of a further quantity of water equal to quarter the nominal capacity shall result in water overflowing from the pouring lip.

(c) *Graduation.*—

- (i) The conical measures shall be graduated in accordance with Table 13.

TABLE 13—Details of Conical Measures.

Denomination.	Graduated at	Numbered at	Back Lines at	Lowest graduation Mark,	Height of Lowest Graduation Mark above bottom of measuring space	Minimum length of Mark.
1	2	3	4	5	6	7
ml	ml		ml	ml	ml	cm
200	50, 100, 120, 140, 160, 180, 200		50, 100, 120, 140, 160, 180, 200	50, 100, 200	50	6.5 ± 0.5 — 2.0

1	2	3	4	5	6	7
100	Every 10 ml from 10 to 100 ml	10,20,40,60, 80,100	20,60,100	10	3.0+0.5	1.75
50 (Tall)	Every 10 ml from 10 to 50 ml	10, 30,50	30,50	10	4.0+0.5	1.5
50 (Squat)	Every 10 ml from 10 to 50 ml	10, 30,50	30,50	10	2.0+0.5	1.5
20	Every 5 ml from 5 to 20 ml	5,10,20	10,20	5	2.5+0.5	1.25
10	Every ml from 2 to 10 ml	2,4,6,8,10	2,6,10	2	2.5+0.5	1.0
5	Every ml from 1 to 5 ml.	1,3,5	3,5	1	2.5+0.5	0.75

- (ii) With the pouring lip of measures facing to the right, the front graduation marks shall be placed at right angles to, and on the right hand side of a vertical line extending from above the top graduation mark to near the base of the measure and below the bottom graduation mark.
- (iii) The graduation marks shall be marked as shown in Fig. 13 A to 13 G. The marks shall be engraved or etched and they shall be of uniform thickness not exceeding 0.3 mm, provided that they may taper slightly towards the ends. The graduation marks shall lie in planes perpendicular to the axis of the measure and shall be horizontal when the measure is standing on a horizontal surface.
- (iv) Each graduation number shall be etched or engraved close to the end of the graduation mark to which it relates and in such a manner that it would be bisected by a prolongation of that graduation mark.
- (v) The numbered graduation marks shall have the minimum length specified in Col. 7 of Table 13. The unnumbered graduation marks shall be at least two-third the length of the numbered graduation marks and clearly shorter than the numbered marks.
- (vi) The height of the lowest graduation mark above the lowest point of the bottom of the measuring space shall be within the limits given in Col. 6 of Table 13.
- (d) *Permissible Errors.*—The permissible errors in capacity shall not exceed the figures given below (see Table 14). The permissible errors in excess or deficiency shall be the same for verification or inspection.



TABLE 14—Permissible errors in capacity of conical measures.

Capacity corresponding to Graduation Mark. ml	Measures except 50 ml (Squat)	50 ml (Squat) Measures
1	2	3
200,180,160	3.0	....
140,120,100	2.0	....
90,80,70,60	1.5	....
50,40	1.0	1.0
30	0.8	1.0
20	0.6	0.8
15	0.5	....
10,9	0.4	0.6
8,7,6	0.3	....
5	0.25	....
4	0.20	....
3	0.16	....
2	0.12	....
1	0.08	....

NOTE:—The permissible errors, apart from those of the 50 ml (squat) measure, apply to graduation marks corresponding to the capacities stated, irrespective of the nominal capacity of the conical measure concerned.

## 6. Beaker Measures.—

(a) *Shape*.—The measures shall be in the form shown in Fig. 14 A and 14 B.

Fig. 14 A-1000 ml

Fig. 14 B-500 ml

Fig. 14—Beaker Measures

(b) *Construction*.—

- (i) Each measure shall be provided with a pouring lip. The form of the lip shall be such that, when the measure is filled with water to the highest graduation mark, the content may be poured from the lip in a stream falling clear of the outside of the measure.
- (ii) Each measure shall be provided with a base on which it shall stand vertically without rocking when placed on a horizontal surface. The size of the base shall be such that the measure, when empty, shall not fall when, placed on a plane inclined at  $15^{\circ}$  to the horizontal. The bottom of the measuring space shall be uniformly rounded and shall merge smoothly into the sides of the measure.

- (iii) The overall volume of the measure shall be such that when the measure is filled with water to the highest graduation mark and a volume of water equal to quarter the denomination volume is added to it, the water shall not overflow.

(c) *Graduation.*--

- (i) The graduation marks shall be marked as shown in Fig. 14A and 14B and Table 15. The marks shall be etched or engraved and shall be of a uniform thickness not exceeding 0.3 mm, provided that they may taper slightly towards the ends. The graduation marks shall lie in planes perpendicular to the axis of the measure and shall be horizontal when the measure is standing on a horizontal surface.
- (ii) Each graduation number shall be etched or engraved close to the end of the graduation mark to which it relates and in such a manner that it would be bisected by a prolongation of that graduation marks.
- (iii) The distance between the highest and the lowest graduation marks and the height of the lowest graduation mark above the inside of the base of the measure shall be in accordance with Col. (3) and (4) respectively of Table 15.

TABLE 15--Graduation and Dimensions of Beaker Measures.

Denomination.	Graduation at.	Distance between lowest and highest graduation marks.	Height of lowest graduation mark above bottom of measuring of surface.	Diameter of Top.	Minimum diameter of base.	Over all Height.
1	2	3	4	*5	*6	*7
ml		cm	cm	cm	cm	cm
1000	200 to 100 ml at each 100 ml; numbered at each 200 ml; unnumbered back lines at 200, 600 and 1000 ml.	11+1	4+1	12	9	23
500	100 to 500 ml at each 50 ml; numbered at each 100 ml; unnumbered back lines at 100, 300 and 500.	9+0.5 —	3+0.5 —	10	8	18

\*These are only recommendatory.

(d) *Permissible Errors*.—The permissible errors in excess or in deficiency for verification or inspection shall not exceed 7 ml for 1,000 ml measure and 5 ml for 500 ml measure.

## 7. Marking.—

Each measure shall have permanently and legibly engraved or etched on it its denomination in Indo-Arabic numerals, the abbreviations 'ml' and 'मिलि' being used to indicate millilitres. The manufacturer's name or trade mark shall be marked on the underside of the base of each measure.

# PART V

## COMMERCIAL LENGTH MEASURES

(Non-Flexible)

## 1. General.—

This Part deals with the non-flexible type of commercial length measures made of metal or wood. Metallic measures are usually used for measuring textiles, ribbons and similar materials and wooden measures generally in the timber trade.

## 2. Denominations.—

The denominations of the length measures shall be as follows:—

Metallic Measures	Wooden Measures
1 m	2 m
0.5 m	

## 3. Metallic Measures.—

(a) *Materials*.—The measures shall be made from mild steel or brass plated with nickel and chromium or from stainless steel. The mild steel rods and brass bars may preferably conform to Designation B of IS : 226—1955 and Grade A of IS : 319—1951 respectively.

(b) *Shape and Dimensions*.—The shape and dimensions of the measures shall be as shown in Fig. 15.

*Fig. 15—Metallic Measures*

(c) *Graduation*.—

(i) The graduation marks shall be made at every centimetre for the first ten centimetres and thereafter at every five centimetres. The graduation marks at every ten centimetres shall be numbered. The marks at the centimetre divisions shall extend over half the breadth and those at five centimetres divisions over full breadth of the measures. A cross mark shall be provided at 25 centimetres in the case of 0.5m measure and at 25, 50 and 75 cm. in the case of 1 m. measure (See Fig. 15).

(ii) The graduations shall be only on one side of the measure.

- (d) *Permissible Errors*.—The mark at every live centimetres shall not exceed or be deficient by more than 0.25 mm, and further the error from the beginning of the measure to any line mark shall not exceed 1.0 mm, always provided that the errors on the full length of the measures shall not exceed the following limits :—

Denomination	Verification		Inspection	
	Excess	Deficiency	Excess	Deficiency
1m	1.0 mm	0.5 mm	1.0 mm	1.0 mm
0.5 m	0.5 mm	0.25 mm	0.5 mm	0.5 mm

- (e) *Provision for Stamping*.—The measures shall be provided with a copper rivet near each end (See Fig. 15) firmly fixed in a hole, countersunk on both sides, for the inspector's stamp. An arrowhead shall be marked at each end of the measure to provide the points for checking the length.

#### 4. Wooden Measures.—

- (a) *Materials*.—The measure shall be made from well seasoned timber of anyone of the following species:—

- teak (*Tectona grandis* Linn. f)
- rosewood (*Dalbergia Latifolia* Roxb)
- shisham (*Dalbergia sissoo* Roxb.)
- haldu (*Adhina cordifolia* Hock. f)
- bijasal (*Pterocarpus maruspium* Roxb.)
- boxwood (*Buxus sempervirens*)
- beech (*Fagus sylvatica*)

- (b) *Shape and Dimensions*.—The Shape and Dimensions of the measures shall be as shown in Fig. 16.

Fig. 16—Wooden Measure.

- (e) *Graduation*.—The graduation marks shall be made at every centimetre for the first ten centimetres and, thereafter, at every five centimetres. The graduation marks at every ten centimetres shall be numbered. The marks at the centimetre divisions shall extend over half the breadth and those at the five centimetre divisions over the full breadth of the measures. A cross mark shall be provided at every 25 cm, excluding the one metre and two metre graduations (See Fig. 16).

The graduations shall be on one side of the measures only.

- (d) *Permissible Errors.*—The mark at every five centimetres shall not exceed or be deficient by more than 1 mm, and further the error from the beginning of the measure to any line mark shall not exceed 2 mm, always provided that the errors on the full length of the measure shall not exceed the following limits:—

Denomination	Verification		Inspection	
	Excess	Deficiency	Excess	Deficiency
2 m.	4 mm	2 mm.	4 mm.	4 mm.

- (e) *Provisions for Stamping.*—Each measure shall be provided at each end with a metal tip not less than 1 cm in width, securely riveted with two rivets at each end, as shown in Fig. 16, for receiving the Inspector's stamp. The width of the tips shall be included in the total length of the measure.

## 5. **Manufacture and Finish.**

- (a) The measure shall be evenly finished and shall be reasonably straight.
- (b) In the case of metallic measures, the graduation marks and the cross marks shall be legible and deep enough to ensure indelibility over a reasonably long period of use, but not so deep as to make the measures liable to be easily bent. In the case of wooden measures, the markings shall be finished neatly, sharply and legibly, in a colour contrasting with the wood finish. They shall be visible from a distance and shall remain indelible over a reasonably long period of use.

## 6. **Markings**

- (i) The denomination shall be stamped, on the ungraduated side of the measure at about one-third of the total length from the beginning of the measure and the manufacturer's name or trade mark at a similar distance from end of the measure. In the case of wooden measures, the markings shall be finished in the same manner as the graduation.
- (ii) The denomination shall be given in Indo-Arabic numerals preceded by the word 'मीटर' and succeeded by the word 'metre'. The size of numerals and letters, indicating denominations of the measures, shall be twice that of the letters indicating the manufacturer's name or trade mark.

## SCHEDULE—VI

*(See Rule 10)*

## Specification for Commercial Weighing Instruments.

## PART I—GENERAL REQUIREMENTS.

1. These specifications deal with all types of weighing instruments for Commercial use and prescribes broad essential Constructional requirement to ensure accuracy and long life. It also deals with marking, graduations, methods and manner of testing the tolerances, errors, sensitiveness etc.

Weighing Instruments of the following categories are included in these specifications :—

- (a) Beam scales.
- (b) Platform Weighing Machines.
- (c) Steel Yards.
- (d) Counter Machines.
- (e) Spring Balances.
- (f) Dormant Platform Machines and Weighbridges.
- (g) Crane Weighing Machines.
- (h) Automatic Weighing Machines.

2. (a) Weighing instruments shall be of such material, design and construction as to ensure under normal conditions of service, the following :—

- (i) Maintenance of accuracy.
- (ii) Continued satisfactory functioning of operating parts.
- (iii) Adjustments remaining reasonably permanent.
- (iv) Prevention of the development of undue stresses.

(b) All weighing instruments shall be of what is commonly known as vibrating type. A vibrating type of instrument is defined as an instrument which has its indicator oscillating on either side of the position or equilibrium.

(c) Weighing instruments shall be of good workmanship and finish and shall be tested in clean condition.

(d) Weighing instruments with assembly parts, the assembly of which will effect the accuracy of the instrument, shall be so constructed as to make their use impossible without such parts. They will be suitably identified with the weighing instruments of which they form essential components.

(e) Where an instrument has an interchangeable or reversible part, the interchange or reversal shall not affect the accuracy of the instrument,

(f) *Knife Edges and Bearings*.—Knife edges and bearings used in weighing instruments shall be of such material as will have a hardness not less than 62 Rc. or equivalent. They shall be so fitted as to allow the beam or steelyard to move easily and to allow the knife edges to bear upon practically the whole length of the bearings.

(g) All graduations shall consist of sharply defined uniform lines.

### 3. Marking.

(a) All weighing machines shall be prominently, legibly, and indelibly marked with maker's name or a trade mark (registered under the Indian Trade Marks Act, 1940), capacity and class (wherever applicable).

(b) The marking shall be both in English as well as in Devnagri Scripts.

(c) The manufacturer's name or the registered trade mark as per clause (a) above shall be such as will not be mistaken for the stamp or the seal of the verifying authority.

(d) The capacity of the weighing instruments shall be indicated in the following manner e. g.

'To weigh	kg"	"किलो के लिये"
"To weigh	g"	"ग्राम के लिये"

### 4. Sealing.

All weighing instruments shall be provided by the manufacturer with a plug or stud of soft metal to receive the stamp or seal. Such plug or stud shall be provided in a conspicuous part of the instrument and shall be made in such a manner as to prevent its removal without obliterating the seal of the verifying authority.

### 5. Test.

(a) All weighing instruments shall be tested in the condition of their normal-use wherever practicable. Non-portable weighing instruments shall be tested in Situ in addition to any other test that may be taken at the manufacturer's or dealer's premises.

(b) Weighing instruments shall be tested for sensitiveness (wherever applicable) and for greatest error at full load.

(c) The terms "sensitiveness" and "error" appearing in clause (b) are defined as follows :—

*Sensitiveness* is the least weight required to be added or removed from the loading platform or pan as the case may be, to cause an appreciable movement of the indicator from its position of equilibrium.

*Error* is the least weight required to bring the indicator to the position of poise or equilibrium from its position of imbalance.

## PART II—BEAM SCALES

**1 Definition.**

(a) A beam scale is a weighing instrument with equal arms, having three knife edges, three bearings, an indicator in the centre, and pans suspended from the end knife edges.

**2. Classes of Beam Scales.**

Beam Scales shall belong to one of the following four classes :-

(a) *Class A.*—Shall include chemical and assay balances and other beam scales provided with means of relieving all the bearings and knife edges, and satisfying the requirements of Table 16.

(b) *Class B.*—Shall include beam scales generally used in bullion trade satisfying the requirements of Table 17.

(c) *Class C.*—Shall include beam scales satisfying the requirements of Table 18.

(d) *Class D.*—Shall cover beam scales satisfying the accuracy requirements of Table 19 and distinguished from Class 'C' scales by the provision of two holes through the blade one on either side of the central knife edge.

(e) This part does not prescribe the trades for which different classes of beam scales may be used. The following information may, however, serve as a guide ---

(i) Class 'A' beam scales are intended to be used for assay and for fine weighments.

(ii) Class 'B' scales are intended to be used in the trades mentioned below :—

(1) Bullion.

(2) Precious metals, precious stones and jewellery.

(3) Saffron and similar expensive commodities.

(4) Chemists & Druggists.

(5) Perfumary.

(iii) Class 'C' scales are intended to be used in the trades mentioned below :—

(1) Base metals.

(2) Relatively costlier commodities such as tea, coffee, tobacco, dry fruits, spices, oil-seeds etc.

(iv) Class 'D' scales are intended to be used for weighment of relatively cheaper such as scrap iron, fuel wood, charcoal, cotton waste, vegetables, cereales etc.

**3 Materials.**

(a) Beams scales shall be made of either mild steel, or brass, or bronze or aluminium alloy or stainless steel.



(b) The pans shall be made of either mild steel, stainless steel, brass or bronze, hard wood or leather. Wood and leather shall be permissible only in Class 'C' and 'D' beam scales only.

(c) Pans shall be suspended from the beam by metal chains or metal stirrup supports.

(d) Beams scales of capacities less than 100 kg with wooden pans shall have metal sheets covering the pans.

#### 4. Beam Fittings.

The knife edges and bearings used in beam scales shall be of one of the following types :—

- (a) "*Agate-box*" wherein agate bearings are fitted in brass or iron box, with side holes, which permit of the projecting ends of the knife edges passing into the boxes and resting on or rising to their bearings.
- (b) "*Dutch-end*" wherein the end bearings are fixed inside plates bolted together across the beam to form a shackle.
- (c) "*Swan-neck*" wherein the ends are curved and slotted, the bottom of the slot forming a knife-edge, the extremities of the beam being widened in a direction at right angles to its length so that the base of the slot is parallel to the central knife-edge.
- (d) "*Continuous Knife-edge*" wherein the knife-edges bear along their whole length.

#### 5. Construction.

- (a) Beam Scale shall not have a loaded weight pan.
- (b) Class 'A' scales shall be provided with a glass case. It shall also be provided with level indicator and levelling screws, to facilitate levelling of the beam scale.
- (c) (i) A beam scale of class 'C' and 'D' category may be provided with a balance ball or a balance box securely attached to one of the suspension chains or pans.
- (ii) Beam scales with wooden pans shall be provided with balancing ball or box.
- (iii) Any attachment for adjusting the balancing of beam scale shall be permanently fastened and where a balancing ball or box is used for occasional adjustments, it shall be so fixed that it cannot readily be tempered with.
- (iv) Balance ball or box shall not be so large as to contain more loose material than an amount exceeding one per cent in weight of the capacity of beam scale under 50 kg or than an amount exceeding 1 kg for beam scales of capacity over 50 kg.

- (d) Except hawkers and persons selling goods in weekly bazars, every person using a beam scale for trade in his premises shall suspend the same to a stand or to a chain by a hook:

Provided that if the State Government is satisfied that the requirements of this section cannot be immediately complied with by any other class of persons, the State Government may by notification in the official Gazette exempt such class of persons from the provisions of this section for such period as may be specified in such notification".

## 6. Marking.

Beam scales shall be conspicuously, legibly and indelibly marked so as to indicate their class, capacity and the manufacturer's name or initials or trade mark registered under Indian Trade Marks Act, 1940. The capacity and class shall be indicated both in Devnagri as well as English scripts.

## 7. Tests.

(a) Beam scales shall be tested for sensitiveness and error at full load and shall comply with the requirements of Tables 16, 17, 18 & 19.

(b) Beam scales shall also be tested with the pans loaded to half the capacity. At this load, the beam scales shall not show difference exceeding 50 per cent of the permissible error at full load when the knife edges or bearings are moved, laterally within their limits of movements. Similarly, when the load on the pan is moved to any position, the difference in weight shown shall not exceed 50 per cent of the error permissible at full load.

TABLE 16—Sensitiveness and Errors for Beam Scales Class 'A'.

Capacity.	Verification.		Inspection.	
	Sensitiveness per Division of scale when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.	Sensitiveness per Division of scale when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.
1	2	3	4	5
2 g	0.02 mg	0.1 mg	0.06 mg	0.2 mg
10 g	0.05 mg	0.5 mg	0.15 mg	1.0 mg
20 g	0.08 mg	0.8 mg	0.24 mg	1.6 mg
50 g	0.10 mg	1.0 mg	0.30 mg	2.0 mg
200 g	0.15 mg	1.2 mg	0.45 mg	2.4 mg
1 kg	5.0 mg	20.0 mg	15.0 mg	40.0 mg
5 kg	10.0 mg	40.0 mg	30.0 mg	80.0 mg
20 kg	20.0 mg	80.0 mg	60.0 mg	160.0 mg

Table 17.—Sensitiveness and Errors for Beam Scales Class 'B'

Capacity.	Verification		Inspection	
	Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.	Sensitiveness when fully loaded.	Great error allowed either in excess or in deficiency when fully loaded.
1	2	3	4	5
20 g	2.0 mg	4.0 mg	6.0 mg	8.0 mg
50 g	5.0 mg	10.0 mg	15.0 mg	20.0 mg
100 g	8.0 mg	16.0 mg	24.0 mg	32.0 mg
200 g	15.0 mg	30.0 mg	45.0 mg	60.0 mg
500 g	30.0 mg	60.0 mg	90.0 mg	120.0 mg
1 kg	60.0 mg	120.0 mg	180.0 mg	240.0 mg
2 kg	100.0 mg	200.0 mg	300.0 mg	400.0 mg
5 kg	200.0 mg	400.0 mg	600.0 mg	800.0 mg
10 kg	400.0 mg	800.0 mg	1200.0 mg	1600.0 mg
20 kg	650.0 mg	1300.0 mg	1950.0 mg	2600.0 mg
50 kg	1200.0 mg	2400.0 mg	3600.0 mg	4800.0 mg
100 kg	2500.0 mg	5000.0 mg	7500.0 mg	10000.0 mg

Table 18.—Sensitiveness and Errors for Beam Scales Class 'C'.

Capacity.	Verification		Inspection	
	Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.	Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.
1	2	3	4	5
100 g	100.0 mg	200.0 mg	300.0 mg	400.0 mg
200 g	200.0 mg	400.0 mg	600.0 mg	800.0 mg
500 g	300.0 mg	600.0 mg	900.0 mg	1200.0 mg
1 kg	400.0 mg	800.0 mg	1200.0 mg	1600.0 mg
2 kg	600.0 mg	1.2 g	1800.0 mg	2.4 g
5 kg	1.8 g	3.6 g	5.4 g	7.2 g
10 kg	4.5 g	9.0 g	13.5 g	18.0 g
20 kg	7.0 g	14.0 g	21.0 g	28.0 g
50 kg	10.5 g	21.0 g	31.5 g	42.0 g
100 kg	20.0 g	40.0 g	60.0 g	80.0 g
200 kg	27.0 g	54.0 g	81.0 g	108.0 g
300 kg	32.0 g	64.0 g	96.0 g	128.0 g
500 kg	55.0 g	110.0 g	165.0 g	220.0 g
1000 kg	105.0 g	210.0 g	315.0 g	420.0 g

Table 19.—Sensitiveness and Errors for Beam Scales Class 'D'.

Capacity.	Verification		Inspection	
	Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.	Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.
200 g	800.0 mg	800.0 mg	2400.0 mg	1600.0 mg
500 g	1200.0 mg	1200.0 mg	3600.0 mg	2400.0 mg
1 kg	2.0 g	3.0 g	6.0 g	6.0 g
2 kg	3.2 g	4.5 g	9.6 g	9.0 g
5 kg	6.0 g	9.0 g	18.0 g	18.0 g
10 kg	12.0 g	18.0 g	36.0 g	36.0 g
20 kg	25.0 g	40.0 g	75.0 g	80.0 g
50 kg	30.0 g	45.0 g	90.0 g	90.0 g
100 kg	50.0 g	75.0 g	150.0 g	150.0 g
200 kg	70.0 g	100.0 g	210.0 g	200.0 g
300 kg	90.0 g	150.0 g	270.0 g	300.0 g
500 kg	130.0 g	250.0 g	390.0 g	500.0 g
1000 kg	250.0 g	500.0 g	750.0 g	1000.0 g

## PART III—Platform Machines.

**1. Definition.**

A platform weighing machine is a weighing instrument with compound levers and with the goods receptacle generally in the form of a platform. The Capacity of these machines shall not exceed 300 kg and weight of the loads shall be indicated either with a steelyard or with any other form of indicator.

**2. Capacities.**

Platform weighing machines shall be of one of the capacities shown in Table 20.

**3. Design and Construction.**

(a) The steelyard in the platform weighing machine shall not have any readily removable parts except the support for counter-proportional weights. There shall be a stop or stops to prevent the sliding poise or poises from travelling behind the zero mark.

The minimum travel of a steelyard in platform machines shall be mm either way.

(b) If a movable hutch, barrow, frame or bucket is used instead of the ordinary platform, it shall form an essential part of the

machine without which the machine cannot be balanced. The moveable hutch, barrow, frame or bucket shall be indented with machine.

(c) Where a balance box is provided on the steelyards, the balance ball should not be easily accessible

(d) The balancing arrangement for daily wear and tear shall have a range between 0.25 per cent and 0.5 per cent of the capacity of the machine and not less than 0.125 per cent of the capacity each way. The balance box, containing the balancing ball shall be securely attached to the steelyards, preferably by passing a bolt through the casing to the steelyard. The balancing ball shall be actuated by a detachable key (see Table 21).

(e) In the case of the platform machines provided with dials:—

(i) racks and pinions shall be of hard wearing material;

(ii) the extremity of the index shall, in no position, be at a greater distance from the graduated surface of the dial than 5 mm and shall be made to meet but not to obscure the graduation marks; and

(iii) the dial shall be graduated into equal parts and the minimum width apart of the graduations shall not be less than 3 mm.

(f) The permissible extension of the platform on either side of the box in the case of extended platform shall be not more than 25 per cent of the length of the box.

#### **4. Counterpoise Proportional Weights.**

(a) All loose counterpoise proportional weights in a platform machine shall be identified with the machine by a number or any other suitable mark of identification, which shall be indelible. The counterpoise weights shall be marked with their equivalent weights in the following manner.

$$\text{विलो} = 100 \text{ kg}$$

(b) The counterpoise weights shall be hexagonal in shape with the slot of a suitable size to allow them being placed on the counterbalance.

(c) The counterpoise proportional weights shall be made of cast iron preferably of Grade-10 B specified in IS: 210-1950 or brass of Grade 3 of IS: 292-1951.

(d) The proportional weights shall have one rectangular loading hole which should be undercut or tapering inside so as to hold lead securely for adjustments. The undercut hole shall be reasonably large to accommodate the lead required for normal wear

and tear. The surface of the lead in the loading hole, when new, shall be at least 3 mm inside from the bottom surface of the weight.

(e) In the case of platform machines provided with proportional counterpoise weights, the smallest denomination of the counterpoise weight shall be equivalent to the maximum graduation on the minor steelyard.

(f) The denomination of the proportional weights shall be in the ratio of 1:2:2:5 and the total equivalent weight of all the proportional weights provided shall not exceed the capacity of the weighing machine.

Note:—While arriving at the capacity of the platform machines, the maximum graduation shown on the steelyard in the case of loose weight platform machines and on the minor steelyard in the case of no-loose weight type machine, shall not be taken into account.

## 5. Tests.

(a) The steelyard of the platform machine shall remain horizontal at no load. With one quarter of the maximum load or as near thereto as is practicable, the platform machine shall indicate the same weight within half the prescribed limits of error, whether the load is placed in the centre or on any of the four corners of the platform.

(b) Platform machines shall be tested to verify the accuracy of any graduation up to the total capacity. All loose counterpoise weights, where such are provided, shall be tested and suitably sealed to prevent tampering.

(c) When a platform machine is fitted with reliving gear, the prescribed limits of error shall not be exceeded when the machine is put steadily out of and into gear. The plate or platform shall be entirely disengaged from its bearing when the machine is in relief.

(d) Dial machines shall be tested for error only. No sensitiveness test shall be taken on such machines. The permissible error at any load shall not exceed the limits prescribed in table 20.

(e) Platform machines with the steelyard arrangement shall be tested for error as well as for sensitiveness at full load. The permissible errors and sensitiveness are indicated in Table 20.

(f) Platform machines shall not be tested for sensitiveness at loads less than full load.

## 6. Sealing.

A stud or a plug of soft metal shall be provided on the steelyard for receiving the seal in the case of steelyard weighing machines. In the case of dial machines, such a plug shall be provided either on the dial where it is accessible or otherwise on the body of the machine.

TABLE 20.—Sensitiveness and Errors for Platform Machines

Verification.		Inspection.	
Capacity.	Sensitive- ness when fully load- ed.	Greatest error allowed in excess or in deficiency when fully loaded	Greatest error allowed in excess or in deficiency when fully loaded
		Vibrating Platform machines fitted with dials.	Vibrating Platform machines fitted with dials.
50 kg.	15 g.	30 g.	60 g.
100 kg.	25 g.	50 g.	100 g.
150 kg.	30 g.	60 g.	120 g.
200 kg.	35 g.	70 g.	140 g.
250 kg.	45 g.	90 g.	180 g.
300 kg.	50 g.	100 g.	200 g.
500 kg.	90 g.	180 g.	360 g.
1000 kg.	150 g.	300 g.	600 g.
1500 kg.	200 g.	400 g.	800 g.
2000 kg.	500 g.	500 g.	1000 g.
		One-half the weight repres- ented by the interval bet- ween consecutive graduati- on marks.	The weight represented by the interval between conse- cutive graduation marks.

Note:—The capacities 150 kg and 250 kg are non-preferred and shall not be used as far as possible.

TABLE 21.—Range of balancing arrangement for Platform Machines.

Capacity	Range of Balancing Arrangement.		
	Maximum 0.5 per cent of capacity	Minimum 0.25 per cent of capacity	0.125 per cent each way.
50 kg	250 g	120 g	60 g
100 kg	500 g	250 g	120 g
150 kg	750 g	370 g	180 g
200 kg	1000 g	500 g	250 g
250 kg	1.3 kg	620 g	310 g
300 kg	1.5 kg	750 g	370 g
500 kg	2.5 kg	1.25 kg	620 g
1000 kg	5.0 kg	2.50 kg	1.25 kg
1500 kg	7.5 kg	3.75 kg	1.87 kg
2000 kg	10.0 kg	5.00 kg	2.50 kg

## PART IV—STEELYARDS

## 1. Definition.

A steelyard is an unequal armed balance.

## 2. Capacities.

Steelyards shall be of one of the capacities mentioned in Table 22.

## 3. Design and Construction.

Steelyards shall be made of either mild steel or stainless steel. The shank shall be perfectly straight. Notches or graduations on the shank shall be cut in one plane and at right angles to the shank. All steelyards shall be provided with a stop or other suitable arrangement to prevent excessive oscillation of the shank. The sliding poise and suspending hooks shall be securely attached to the instrument. All end-fittings such as the nut attached to prevent the poise carrier riding off the steelyard shall be securely fixed to the shank. The slide poise shall be freely moveable and there shall be a stop to prevent it from travelling behind the zero mark. Steelyards having a counterpoise or travelling poise shall be provided with a hole or suitable means for the future adjustment of the counterpoise or travelling poise, such hole being undercut. Wherever loose material is used in the travelling poise, it shall be securely enclosed. Steelyards shall be neither reversible, nor have 3 hooks, and shall not be of counter type. Steelyards shall have a zero graduation.

## 4. Tests.

(a) Steelyards shall be tested at full load, for sensitiveness and error and shall comply with the requirements of Table 22.



(b) The test for sensitiveness is carried out by loading the instrument with the maximum testing load with the steelyard in horizontal position and ascertaining that it turns with the addition of the amount shown in the table for sensitiveness.

(c) Each numbered graduation shall be tested and the instrument shall be correct whether it is carried out with increasing or decreasing loads.

(d) The intermediate graduations shall also be tested to see they are correct and are proper distance apart.

(e) Steelyards shall be tested for error by ascertaining the weight excess for deficiency (if any) required to bring the steelyard to a horizontal position when fully loaded.

(f) No test sensitiveness at a lower load shall be made.

## 5. Sealing.

Each instrument shall be provided with a plug or stud of soft metal on the front face of the shoulder of the steelyard for receiving the seal, such a plug or stud should be made irremovable by undercutting it or in some other suitable manner.

TABLE 22—Sensitiveness and error for steelyards.

VERIFICATION			INSPECTION	
Capacity	Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.	Sensitiveness when fully loaded.	Greatest error allowed either in excess or deficiency when fully loaded.
10 kg	5 g	7.5 g	15 g	15.0 g
20 kg	10 g	15.0 g	30 g	30.0 g
50 kg	25 g	50.0 g	75 g	100.0 g
100 kg	40 g	80.0 g	120 g	160.0 g
150 kg	60 g	120.0 g	180 g	240.0 g
200 kg	65 g	130.0 g	195 g	260.0 g
250 kg	80 g	160.0 g	245 g	320.0 g
300 kg	90 g	180.0 g	270 g	360.0 g

## PART V.—Counter Machines

### 1. Definition.

Counter machine is an equal armed weighing instrument of a capacity not exceeding 50 kg, the pans of which are above the beam.

### 2. Capacities.

Counter Machines shall be of one of the capacities mentioned in Table 23.

### 3. Design and Construction.

(a) When the beam or body has two sides, they shall be connected together by not less than two cross-bars. The supports for the pans shall be of a suitable rigid structure such as cross members strengthened by straps. Central pieces or forks shall be fixed so that they cannot twist or get out of place.

(b) Bearing surfaces and points of contact of all stays, hooks, and loops shall be of hard steel or agate. The knife edges and bearings shall be so fitted as to allow the beam to move freely and the knife edges shall practically bear upon the whole length of their working parts.

(c) A counter machine may have a balance box for minor adjustments. In such cases, the balance box shall be permanently fixed beneath the weight pan and shall be large enough to contain loose material to an amount not exceeding 1 per cent of the capacity of the machine. No other adjusting contrivance shall be used.

(b) The pans shall be made of mild steel, stainless steel, brass or bronze.

(e) The minimum fall either way on counter machines shall be as under:—

<i>Capacity</i>					<i>Fall</i>
Not exceeding 2 kg	....	....	....	....	6 mm
Above 2 kg and not exceeding 15 kg	....	....	....	....	10 mm
Above 5 kg and not exceeding 25 kg	....	....	....	....	12 mm
50 kg	....	....	....	....	13 mm

### 4. Tests.

(a) All counter machines shall be tested for sensitiveness and error at full load and shall comply with the requirements of Table 23.

(b) Counter machines shall be tested on a level plane.

(c) Where an instrument has an interchangeable or reversible part, the interchange or reversal shall not affect the accuracy of the instrument.

(d) The counter machine shall be tested for sensitiveness at full load with the beam in horizontal position and ascertaining that the addition of the amount specified in the table shall cause the pointer to rise or fall to the limit of its range of movement.

(e) No test for sensitiveness at a lower load shall be made.

(f) The counter machines shall be tested for error by ascertaining the weight in excess or deficiency (if any) required to bring the beam of the instrument to a horizontal position when fully loaded.

(g) With the pans loaded to half the capacity, no appreciable difference in the accuracy of the counter machines shall result from moving the knife edges or bearings laterally or backwards and forwards within their limits of movement.

(h) When the goods pan is not in the form of a scoop, the counter machines shall indicate the same weight within half the prescribed limits of error, if the centre of a load equal to half the capacity is placed on the goods pan anywhere within a distance from the centre equal to  $1/3$  of the greatest length of the pan, or if the pan has a vertical side, against the middle of that side, the weight being entirely on the weight pan, but in any position on it.

(i) When the goods pan is in the form of a scoop, the counter machine shall be correct if half the full load is placed against the middle of the back of the scoop and the other half in any position on the scoop.

## 5. Sealing.

Each instrument shall be provided with a plug or stud of soft metal on a conspicuous part of the beam or body for receiving a seal. Such a plug or stud shall be made irremovable by undercutting it or in some other suitable manner.

TABLE 23.—Sensitiveness and Errors for Counter Machines.

Capacity of machine.	Verification.		Inspection.	
	Sensitiveness when fully loaded.	Greatest error allowed in excess or in deficiency when fully loaded	Sensitiveness when fully loaded.	Greatest error in excess or in deficiency when fully loaded.
500 g	1.3 g	1.95 g	3.9 g	3.9 g
1 kg	1.8 g	2.65 g	5.4 g	5.3 g
2 kg	2.6 g	3.5 g	7.8 g	7.0 g
5 kg	4.5 g	6.25 g	13.5 g	12.5 g
10 kg	6.0 g	9 g	18.0 g	18.0 g
15 kg	7.0 g	10 g	21.0 g	20 g
20 kg	8.5 g	13 g	25.5 g	26 g
25 kg	10.0 g	15 g	30 g	30 g
50 kg	14.0 g	28 g	42 g	56 g

## PART VI—Spring Balances

### 1. Definition.

Spring Balance is an instrument which determines the weight of an object by the extension or compression of a spring such extension or compression being registered by means of a pointer on a dial or on a graduated scale.

## 2. Capacities.

Spring Balances shall be of one of the capacities mentioned in Table 24.

## 3. Design and Construction.

(a) Spring Balances with the pan below the spring shall be suspended permanently from a stand, support or bracket.

(b) The extremity of the index finger shall not exceed 1 mm. in width and shall not be more than 3.0 mm from the scale or dial.

(c) The scale shall be graduated into equal parts, and the width apart of the graduations shall be not less than 2 mm for a capacity of 15 kg and under and not less than 3 mm for a capacity of 20 kg and above.

(d) The weight corresponding the interval between consecutive graduation marks shall not exceed the values given in Table 24.

(e) When the graduation commences at a fixed load, the position of the index when there is no load, shall be clearly indicated by a zero mark.

(f) When a spring balance is provided with an adjustable indicator, the range of adjustment shall not exceed 1 per cent of the capacity of the instrument except in the case of instruments used for mixing purposes where it shall not exceed 2 per cent.

(g) The body shall be constructed either of brass, or cast iron, or any other suitable material, and shall be sufficiently robust in construction. If pans are provided for the balance, they shall be made of brass, bronze, cast iron, mild steel or stainless steel. Metal chains or metal stirrup supports shall be provided if pans are suspended. Back and pinions, if provided, shall be made of hard wearing material.

## 4. Tests.

(a) When the pan is below the spring, the prescribed limits of error shall not be exceeded wherever the load is placed on it.

(b) Where the pan is above the spring—

(i) When the goods pan is not in the form of a scoop, the instrument shall indicate the same weight within half the prescribed limits of error, if the centre of a load equal to half the capacity is placed on the pan anywhere within the distance from the centre equal to the  $\frac{1}{3}$ rd of the greatest length of the pan or if that pan has a vertical side against the middle of that side.

(ii) When the pan is in the form of a scoop, the spring balance shall be correct, if half the full load is placed against the middle of the back of the scoop and the other half in any position on the scoop.

(c) Each numbered graduation shall be tested and the intermediate graduation may also be tested.

(d) The instrument shall be correct whether the test is made by increasing or decreasing loads provided that in either case the spring shall be allowed to vibrate before the reading is taken.

(e) The instrument shall be tested for ability to recover by allowing the load equal to its maximum capacity remaining on the same for a period of 24 hours and then after the expiry of 4 hours tested for accuracy, the load being removed in the meantime.

(f) Spring balances shall not be tested for sensitiveness.

## 5. Sealing.

Spring balances shall be fitted with a soft metal plug to receive a seal and wherever practicable, this plug shall pass through the dial or frame. The plug or stud shall be so supported as to allow no risk of injury to the instrument.

Table 24.—Permissible Errors for Spring Balances.

Capacity.	Weight corresponding to interval between consecutive graduations shall not exceed.	Maximum permissible Error		Remarks.
		Verification.	Inspection.	
500g	5.0 g	A weight corresponding to a quarter of the interval between successive graduations.	A weight corresponding to half the interval between successive graduations.	While fixing the diameter of effective circle on dial of one revolution a blank space of 20 mm at the end of graduation has to be provided. The minimum width apart of graduations shall not be less than 2.00 mm for capacities from 500g to 15 kg and 3.0 mm for the rest of the sizes. In the case of multi-revolution spring balances, the minimum blank space will not apply.
1 kg	5.0 g			
2 kg	20 g			
3 kg	20 g			
5 kg	20 g			
10 kg	50 g			
15 kg	50 g			
20 kg	100 g			
30 kg	100 g			
50 kg	250 g			
100 kg	500 g			
150 kg	1.0kg			
200 kg	1.0kg			
300 kg	1.0kg			
500 kg	2.0kg			

## PART VII—WEIGHBRIDGES

**1. Definition.**

Weighbridge is a weighing instrument constructed with compound levers with the indicator system carried on foundations separate from the lever systems to weigh loads of a capacity of 3,000 kg; and over, through the medium of proportional weights or indicating mechanism.

*Note.*—Weighbridges of 2,000 kg and below, commonly known as Dormant Platform Machines, are also included in this part.

**2. Capacities.**

Weighbridges shall be of one of the capacities mentioned in Table 25.

**3. Design and construction.**

(a) The steelyard of a weighbridge shall not involve any readily removable parts except the support for the counterpoise. There shall be one or more stops to prevent, the sliding poise or poises from travelling behind the zero mark.

(b) The minimum travel of the steelyard in weighbridges shall be 13 mm bothways.

(bb) The value of the smallest graduation on dials or minor steel yards, and wherever possible, major steel yards of weighing instruments may be 1 kg. 2 kg 5 kg. or any power of 10 (positive or negative) thereof.

(c) If a movable hutch, barrow, frame or bucket is used instead of the ordinary platform, it shall form an essential part of the machine without which it cannot be balanced.

(d) All loose counterpoises shall be identified with the machines by a number or other sufficient mark of identification which shall be indelible. They shall be marked with their equivalent weights in the following manner :—

$$\text{किलो}=100 \text{ kg}$$

(e) Proportional weights shall be of the hexagonal shape with a slot of a suitable size to allow them being placed on the counter-balance.

(f) The proportional weights shall be made of cast iron preferably of the grade 10 B of IS : 210-1950 or brass of grade 3 of IS : 292-1951. The proportional weights shall have one rectangular loading hole which should be undercut or tapered so as to hold load securely for adjustment. Surface of the load in loading hole, when new, shall be at least 3 mm inside from the bottom surface of the weight.

(g) The smallest denomination of the proportional weight shall be equivalent to the maximum graduation on the minor steel-yard.

(h) *Denomination of Proportional Weights.*—Proportional weights may be of the denominations 1kg, 2kg, 5kg or any integral power of ten (positive or negative) thereof. Any number of proportional weights may be used provided the sum of their weights does not exceed the capacity of the weighing instrument.

*Note* :—In assessing the capacity of Weighbridge for this purpose, the maximum graduations on the Steel yard in the case of 'Loose Weight' weighbridge, and on the minor Bar in the case of 'No-Loose weight' Weighbridge shall not be taken into account.

*Note* :—While arriving at the capacity of the weighbridge, the maximum graduation shown on the steelyard in the case of loose weight weighbridges and on the minor steelyard in the case of no loose weight type weighbridge shall not be taken into account.

(i) *Balancing Arrangement.*—The balancing arrangement for daily wear and tear shall have a range not exceeding 0.5 per cent of the capacity of the machine and not less than 0.125 per cent of the capacity each way (see Table 26). The balance box containing the balancing ball shall be securely attached to the steelyard, preferably by passing a bolt through the casing of the steelyard. The balancing ball shall be actuated by a detachable key.

(j) The following provisions shall apply to weighbridges with dials :—

- (i) Rack and Pinions shall be of hard wearing material.
- (ii) The extremity of the index shall, in no position be at a greater distance from the graduated surface of the dial than 5 mm and shall be made to meet but not to obscure the graduation mark (except where dual graduations are made).
- (iii) The dial shall be graduated into reasonably equal parts and minimum width apart of the graduation shall not be less than 3 mm.

(k) i) The frame work shall be built up of mild steel rolled sections or cast iron or steel casting. It shall be of rigid structure, strengthened suitably so that it will be capable of resisting any vibration and shall not throw the lever system out of alignment due to any subsidence of the foundation.

(ii) Brackets shall be cast on the side frames to support the frame work.

(l) (i) Where relieving gear is fitted, the relieving apparatus shall disengage the under-lever and save the knife edges from shock or wear.

(ii) The plate or platform of the machine shall be entirely disengaged from its bearings when the machine is in relief.

(m) All knife edges and steel bearings shall be of special high quality steel accurately lapped to gauge after hardening and shall be

(b) *Denomination of Proportional Weights*.—Proportional weights may be of the denominations 1kg, 2kg, 5kg or any integral power of ten (positive or negative) thereof. Any number of proportional weights may be used provided the sum of their weights does not exceed the capacity of the weighing instrument.

*Note*:—In assessing the capacity of Weighbridge for this purpose, the maximum graduations on the Steel yard in the case of 'Loose Weight' weighbridge, and on the minor Bar in the case of 'No-Loose weight' Weighbridge shall not be taken into account.

*Note*:—While arriving at the capacity of the weighbridge, the maximum graduation shown on the steelyard in the case of loose weight weighbridges and on the minor steelyard in the case of no loose weight type weighbridge shall not be taken into account.

(i) *Balancing Arrangement*.—The balancing arrangement for daily wear and tear shall have a range not exceeding 0.5 per cent of the capacity of the machine and not less than 0.125 per cent of the capacity each way (see Table 26). The balance box containing the balancing ball shall be securely attached to the steelyard, preferably by passing a bolt through the casing of the steelyard. The balancing ball shall be actuated by a detachable key.

(j) The following provisions shall apply to weighbridges with dials :—

(i) Rack and Pinions shall be of hard wearing material.  
(ii) The extremity of the index shall, in no position be at a greater distance from the graduated surface of the dial than 5 mm and shall be made to meet but not to obscure the graduation mark (except where dual graduations are made).

(iii) The dial shall be graduated into reasonably equal parts and minimum width apart of the graduation shall not be less than 3 mm.

(k) i) The frame work shall be built up of mild steel rolled sections or cast iron or steel casting. It shall be of rigid structure, strengthened suitably so that it will be capable of resisting any vibration and shall not throw the lever system out of alignment due to any subsidence of the foundation.

(ii) Brackets shall be cast on the side frames to support the frame work.

(i) Where relieving gear is fitted, the relieving apparatus shall disengage the under-lever and save the knife edges from shock or wear.

(ii) The plate or platform of the machine shall be entirely disengaged from its bearings when the machine is in relief.

(m) All knife edges and steel bearings shall be of special high quality steel accurately lapped to gauge after hardening and shall be



(c) Each numbered graduation shall be tested and the intermediate graduation may also be tested.

(d) The instrument shall be correct whether the test is made by increasing or decreasing loads provided that in either case the spring shall be allowed to vibrate before the reading is taken.

(e) The instrument shall be tested for ability to recover by allowing the load equal to its maximum capacity remaining on the same for a period of 24 hours and then after the expiry of 4 hours tested for accuracy, the load being removed in the meantime.

(f) Spring balances shall not be tested for sensitiveness.

## 5. Sealing.

Spring balances shall be fitted with a soft metal plug to receive a seal and wherever practicable, this plug shall pass through the dial or frame. The plug or stud shall be so supported as to allow no risk of injury to the instrument.

Table 24.—Permissible Errors for Spring Balances.

Capacity.	Weight corresponding to interval between consecutive graduations shall not exceed.	Maximum permissible Error		Remarks.
		Verification.	Inspection.	
500g	5.0 g	A weight corresponding to a quarter of the interval between successive graduations.	A weight corresponding to half the interval between successive graduations.	While fixing the diameter of effective circle on dial of one revolution a blank space of 20 mm at the end of graduation has to be provided. The minimum width apart of graduations shall not be less than 2.00 mm for capacities from 500g to 15 kg and 3.0 mm for the rest of the sizes. In the case of multi-revolution spring balances, the minimum blank space will not apply.
1 kg	5.0 g			
2 kg	20 g			
3 kg	20 g			
5 kg	20 g			
10 kg	50 g			
15 kg	50 g			
20 kg	100 g			
30 kg	100 g			
50 kg	250 g			
100 kg	500 g			
150 kg	1.0kg			
200 kg	1.0kg			
300 kg	1.0kg			
500 kg	2.0kg			

## PART VII—WEIGHBRIDGES

**1. Definition.**

Weighbridge is a weighing instrument constructed with compound levers with the indicator system carried on foundations separate from the lever systems to weigh loads of a capacity of 3,000 kg; and over, through the medium of proportional weights or indicating mechanism.

*Note.*—Weighbridges of 2,000 kg and below, commonly known as Dormant Platform Machines, are also included in this part.

**2. Capacities.**

Weighbridges shall be of one of the capacities mentioned in Table 25.

**3. Design and construction.**

(a) The steelyard of a weighbridge shall not involve any readily removable parts except the support for the counterpoise. There shall be one or more stops to prevent the sliding poise or poises from travelling behind the zero mark.

(b) The minimum travel of the steelyard in weighbridges shall be 13 mm bothways.

(bb) The value of the smallest graduation on dials or minor steel yards, and wherever possible, major steel yards of weighing instruments may be 1 kg. 2 kg. 5 kg. or any power of 10 (positive or negative) thereof.

(c) If a movable hutch, barrow, frame or bucket is used instead of the ordinary platform, it shall form an essential part of the machine without which it cannot be balanced.

(d) All loose counterpoises shall be identified with the machines by a number or other sufficient mark of identification which shall be indelible. They shall be marked with their equivalent weights in the following manner :—

$$\text{किलो} = 100 \text{ kg}$$

(e) Proportional weights shall be of the hexagonal shape with a slot of a suitable size to allow them being placed on the counter-balance.

(f) The proportional weights shall be made of cast iron preferably of the grade 10 B of IS : 210-1950 or brass of grade 3 of IS : 292-1951. The proportional weights shall have one rectangular loading hole which should be undercut or tapered so as to hold load securely for adjustment. Surface of the load in loading hole, when new, shall be at least 3 mm inside from the bottom surface of the weight.

(g) The smallest denomination of the proportional weight shall be equivalent to the maximum graduation on the minor steel-yard.

(h) *Denomination of Proportional Weights.*—Proportional weights may be of the denominations 1kg, 2kg, 5kg or any integral power of ten (positive or negative) thereof. Any number of proportional weights may be used provided the sum of their weights does not exceed the capacity of the weighing instrument.

*Note* :—In assessing the capacity of Weighbridge for this purpose, the maximum graduations on the Steel yard in the case of 'Loose Weight' weighbridge, and on the minor Bar in the case of 'No-Loose weight' Weighbridge shall not be taken into account.

*Note* :—While arriving at the capacity of the weighbridge, the maximum graduation shown on the steelyard in the case of loose weight weighbridges and on the minor steelyard in the case of no loose weight type weighbridge shall not be taken into account.

(i) *Balancing Arrangement.*—The balancing arrangement for daily wear and tear shall have a range not exceeding 0.5 per cent of the capacity of the machine and not less than 0.125 per cent of the capacity each way (see Table 26). The balance box containing the balancing ball shall be securely attached to the steelyard, preferably by passing a bolt through the casing of the steelyard. The balancing ball shall be actuated by a detachable key.

(j) The following provisions shall apply to weighbridges with dials :—

- (i) Rack and Pinions shall be of hard wearing material.
- (ii) The extremity of the index shall, in no position be at a greater distance from the graduated surface of the dial than 5 mm and shall be made to meet but not to obscure the graduation mark "(except where dual graduations are made).
- (iii) The dial shall be graduated into reasonably equal parts and minimum width apart of the graduation shall not be less than 3 mm.

(k) i) The frame work shall be built up of mild steel rolled sections or cast iron or steel casting. It shall be of rigid structure, strengthened suitably so that it will be capable of resisting any vibration and shall not throw the lever system out of alignment due to any subsidence of the foundation.

(ii) Brackets shall be cast on the side frames to support the frame work.

(l) (i) Where relieving gear is fitted, the relieving apparatus shall disengage the under-lever and save the knife edges from shock or wear.

(ii) The plate or platform of the machine shall be entirely disengaged from its bearings when the machine is in relief.

(m) All knife edges and steel bearings shall be of special high quality steel accurately lapped to gauge after hardening and shall be

interchangeable (steel knife edges and bearings which are welded into iron may also be permitted). Knife edges and steel bearings shall be readily replaceable without dismantling so that the weighbridge can be maintained in perfect working order. The knife edges and bearings shall be accurately and firmly secured in machine beds preferably by two shankss and nuts or alternatively by bolts and nuts or set-screws. All knife edges and bearings shall be protected against dirt and corrosion.

(n) The platform shall be of steel chequered plate and shall be rigid. Accessibility to the pit shall be ensured.

(o) The value of the smallest division in the minor bar shall not exceed the greatest error allowed for that capacity. See Table 25.

#### 4. Tests.

(a) All weighbridges shall be tested for sensitiveness and error at full load and shall comply with the requirements of Table 25. When fully loaded, the load being equally distributed on the platform, it shall indicate the weight correctly with no greater error in excess or deficiency (if any) than permitted.

(b) In the case of dial machines, tests of numbered graduations up to the total capacity of the machine, or to such smaller capacities as the minimum graduation on the steelyard may indicate, shall be carried out.

(c) Loose counterpoises, where they are provided, shall be tested.

(d) The machines shall be tested by adding loads equal to the major divisions or notches, and then ascertaining that additional load equal to the value of one notch or division is correctly indicated.

(e) The test of dial machines shall be carried out in a similar manner with the exception of sensitiveness test.

(f) The test for sensitiveness and error other than in dial machines, is to be made at maximum load or as near thereto as possible.

(g) With one quarter of the maximum load or as near thereto as is practicable, the weighbridge shall indicate the same weight within half the prescribed limits of error whether the load is placed in the middle or at any of the corners of the platform.

(h) When provided with a relieving gear, the prescribed limits of error shall not be exceeded when the machine is steadily put out of or into gear.

#### 5. Marking.

All parts of each weighbridge shall be indelibly numbered or marked so as to facilitate erection at site.

#### 6. Sealing.

(a) Dial machines shall be fitted with a soft metal plug to receive a seal and wherever practicable, this plug shall be passed

through the dial and frame. The plug or stud fitted on the dial shall be so supported as to allow no risk of injury to the instrument.

(b) On weighbridges other than dial machines, a plug or stud shall be provided in a conspicuous position on the indication lever or steelyard.

TABLE 25  
Sensitiveness & Errors for Weighbridges.

Capacity of machines.	VERIFICATION				INSPECTION	
	Sensitive- ness when fully loaded	Greatest error allowed in excess	Sensitive- ness when fully loaded	Greatest error allowed in ex- cess or in defi- ciency when fully loaded.		
		Vibra- ting Machines with dials	Machines fitted with dials		Vibra- ting Machines with dials	Machines fitted with dials
1	2	3	4	5	6	7
	kg	kg	kg	kg	kg	kg
1000 kg (1t)	1.1	1.2	2.4	3.3	2.4	4.8
2000 kg (2t)	1.2	1.4	2.8	3.6	2.8	5.6
3000 kg (3t)	1.3	1.6	3.2	3.9	3.2	6.4
5000 kg (5t)	1.5	2.0	4.0	4.5	4.0	8.0
10000 kg (10t)	2.0	3.0	6.0	6.0	6.0	12.0
15000 kg (15t)	2.5	4.0	8.0	7.5	8.0	16.0
20000 kg (20t)	3.0	5.0	10.0	9.0	10.0	20.0
25000 kg (25t)	3.5	6.0	12.0	10.5	12.0	24.0
30000 kg (30t)	4.0	7.0	14.0	12.0	14.0	28.0
40000 kg (40t)	5.0	7.0	14.0	15.0	14.0	28.0
50000 kg (50t)	5.2	7.8	15.6	15.6	15.6	31.2
60000 kg (60t)	5.5	8.5	17.0	16.5	17.0	34.0
80000 kg (80t)	6.0	10.0	20.0	18.0	20.0	40.0
100000 kg (100t)	6.5	11.5	23.0	19.5	23.0	46.0
200000 kg (200t)	9.0	19.0	38.0	27.0	38.0	76.0

Table 26  
Range of Balancing arrangement for weighbridge.

Capacity	Range of Balancing Arrangement.	
	Maximum 0.5 per cent of capacity	Minimum 0.125 per cent of capacity, each way.
	kg	kg
1000 kg	5	1.25
2000 kg	10	2.50
3000 kg	15	3.75
5000 kg	25	6.2

10000 kg	50	12.5
15000 kg	75	19.0
20000 kg	100	25.0
25000 kg	125	31.0
30000 kg	150	35.5
40000 kg	200	50
50000 kg	250	62
60000 kg	300	75
80000 kg	400	100
100000 kg	500	125
200000 kg	1000	250

*Notes.*

Industries (A) Department Notification No. F. 23 (11) Ind. (A)/58 dated November 22, 1960, published in Rajasthan Raj-patra, part IV (C) dated February 2, 1961 has caused following amendments in part VII to schedule VI of the rules :—

1. Addition of clause (bb) in para 3.
2. Substitution of clause (h) for the previous one which ran as under—  
(h) The denomination of the proportional weight shall be in the ratio of 1 : 2 : 5 and the total equivalent weight of all the proportional weights shall not exceed the total capacity of the weighbridge.
3. Substitution of the sentence appearing in brackets in Clause (i) of para 3 for the previous one which read as under :—  
(i) The balancing arrangement for daily wear and tear shall have a range between 0.25 per cent & 0.5 per cent of the capacity of the machine and not less than 0.125 per cent of the capacity each way (see table (26)).
4. Addition of clause (o) to para 3
5. Substitution of Tables 25 & 26 for the previous one.

## 1 Definition.

Crane Machine is a weighing instrument specially constructed to be suspended from the hook of a crane and is fitted with a hook for lifting the loads and may be constructed upon the lever or spring principle.

## 2. Capacities.

Crane Machines shall be of one of the capacities mentioned in Table 27.

## 3. Design and Construction.

(a) A Crane Machine shall be sufficiently strong to withstand wear and tear in the exacting conditions under which it works.

(b) No Crane Machine shall become a permanent link in the lifting gear. All working parts shall be suitably protected from the dust and damp of the atmosphere. In a lever machine, the steel-yard shall be made of corrosion resisting steel to resist the atmospheric influence and shall be sufficiently rigid and accurate.

(c) In a dial machine, the rack and pinions shall be of suitable hard wearing material.

(d) The range of balancing or adjusting arrangement shall not exceed 2 per cent of the capacity of the machine.

(e) There shall be free movement of steelyard and on a dial machine, the dial indicator shall work freely and return to its initial starting point after the load is removed.

#### 4. Tests.

(a) Crane machines of the lever type shall be tested for sensitiveness and error at full load and shall comply with the requirements of Table 27.

(b) Spring Crane Machines shall not be tested for sensitiveness.

(c) For spring machines, the limits of error shall be double than those of lever machines and are given in Table 28.

(d) Each number graduation shall be tested as far as practicable.

#### 5. Sealing.

Crane Machines shall be fitted with a plug or stud in a conspicuous part either on the steelyard or on the dial of the machine to receive the seal.

TABLE 27.—Sensitiveness and Errors for Crane Weighing Machines—Lever Type.

Capacity.	Verification.		Inspection.	
	Sensitiveness when fully loaded.	Greatest error allowed in excess or in deficiency when fully loaded.	Sensitiveness when fully loaded.	Greatest error allowed in excess or in deficiency when fully loaded.
1	2	3	4	5
500 kg ....	80 g	160 g	240 g	320 g
1000 kg ....	700 g	70 g	2.1 kg	1.4 kg
2000 kg ....	1.0 kg	1.0 kg	3.0 kg	2.0 kg
3000 kg ....	1.2 kg	1.2 kg	3.6 kg	2.4 kg
5000 kg ....	1.5 kg	1.5 kg	4.5 kg	3.0 kg
10000 kg ....	2.5 kg	3.0 kg	7.5 kg	6.0 kg
15000 kg ...	3.0 kg	3.5 kg	9.0 kg	7.0 kg
20000 kg ....	3.5 kg	4.5 kg	10.5 kg	9.0 kg
30000 kg ....	4.0 kg	6.0 kg	12.0 kg	12.00 kg
50000 kg ....	4.5 kg	8.0 kg	13.5 kg	16.0 kg
100000 kg ....	6.5 kg	13.0 kg	19.5 kg	26.0 kg
200000 kg ....	8.0	18.0 kg	24.0 kg	36.0 kg

TABLE 28—Sensitiveness and Errors and for Crane Machines Dial Type (Spring and Flexure)

Capacity.	Weights corresponding to interval between successive graduation shall not exceed.	Permissible Error.	Maximum Error.	Remarks.
1	2	3	4	5
500 kg ....	5 kg			
1000 kg ....	5 kg	A weight	A weight	The maximum
2000 kg ....	5 kg	Corresponding	Corresponding	width.
3000 kg ....	10 kg	to half the	to the interval	apart of graduation shall
5000 kg ....	25 kg	interval	between successive	not be less
10000 kg ....	50 kg	between successive	graduations.	than 3mm.
15000 kg ....	50 kg	graduations		
20000 kg ....	100 kg			
30000 kg ....	100 kg			
50000 kg ....	250 kg			
100000 kg ....	500 kg			
200000 kg ....	500 kg			

## PART IX.—Automatic weighing Machines.

**1. Definition.**

An automatic weighing machine may be defined as any weighing scale which has an integral mechanism for automatically admitting and discharging a load, and may be fitted with an apparatus for counting or otherwise recording the number of loads handled.

**2. Capacities.**

Automatic machines shall be of the capacities as agreed upon between the purchaser and the seller.

**3. Design and Construction.**

(a) Automatic weighing machines and their integral parts, shall be identified with the machines, by an indelible number or other mark of identification.

(b) The adjusting mechanism shall be suitably secured or constructed so that it cannot be tampered with.

(c) The capacity of the automatic weighing machine shall be marked legibly on a conspicuous part of the machine.

**4. Tests.**

(a) Automatic machines shall be tested for errors according to the requirements of Table 29.



(b) The accuracy of the out-put of the machine shall be verified by re-weighing in another weighing instrument not less than 20 continuous loads, or, where practicable, the machine may be tested directly by the application of standard weights.

(c) In testing totalising machines, not less than 50 loads shall be passed over the machine, namely, 10 minimum loads, 10 maximum loads and 30 loads of the mean between the minimum and the maximum.

## 5. Sealing.

Automatic Machines shall be fitted with a plug on the beam, shank or dial of the machine to receive the seal.

TABLE 29.—Permissing Errors for Automatic Machines.

Use.	Capacity.	Error (Verification or inspection).	
Weighing small loads of tea, coffee etc.	20 g and upwards	0.5 per cent. of the load in excess only.	
Weighing grain etc.	5 kg and upwards.	0.25 per cent. of the load, in excess or deficiency.	The allowances in these cases are subject to the proviso that the error tolerated shall not exceed the weight represented by half a minimum division, marked on the dial or steel-yard.
Weighing coal etc.	50 kg and upwards.	0.5 per cent. of the load in excess or deficiency.	
"Totalising" machines used for weighing local etc.	500 kg and upwards.	0.5 per cent. of the total load of 50 weighings, in excess or deficiency.	

## SCHEDULE VII

(See Rule 12)

### Abbreviations of denominations.

#### 1. Decimal Multiplies and Sub-Multiplies.

Prefix	Value in terms of unit			Abbreviation.
kilo	....	....	1000	k
centi	....	...	0.01 (10-2)	c
milli	....	....	0.001 (10-3)	m
Micro	....	....	0.000.001 (10-6)	u

**2. Weights.**

Denomination.				Value	Abbreviation.
tonne	....	....	....	1000 kg	t.
quintal	....	....	....	100 kg	q.
kilogram	....	....	....	1 kg	kg.
gram	....	....	....	1 g.	g.
milligram	....	....	....	1 mg	mg.
carat	....	....	....	200 mg	C.

**3. Capacity.**

Denomination				Value	Abbreviation.
Kilolitre	....	....	....	1000 l	kl
litre	....	....	....	1 l	l
millilitre	....	....	....	1 ml	ml

**4. Volume.**

Denomination				Value	Abbreviation.
Cubic metre	....	....	3	3	m or cu m.
			m		
			3	3	
Cubic centimetre	....	....	cm		cm or cu cm
			3	3	
			3	3	
Cubic millimetre	....	....	mm		mm or cu mm
			3	3	
			3	3	

**5. Length.**

Denomination				Value	Abbreviation.
kilometre	....	....	....	100 m	km
metre	....	....	....	1 m	m
Centimetre	....	....	....	1 cm	cm

\*Both these abbreviations are current, but the first set should preferably be used.

Denomination				Value	Abbreviation.
millimetre	....	....	....	1 mm	mm
Micron	....	....	....	1/1000 mm or	/u m
				3	
				10 mm	

## 6. Area.

Denomination	Value	Abbreviation.
square kilometre      ....	.... 1,000,000 m <sup>2</sup>	km <sup>2</sup> or sq km      *
square metre      ....	.... 100 m <sup>2</sup>	m <sup>2</sup> or sq m      *
square centimetre      ....	.... cm <sup>2</sup>	cm <sup>2</sup> or sq cm      *
square millimetre      ....	.... mm <sup>2</sup>	mm <sup>2</sup> or sq mm      *

\*Both these abbreviations are current, but the first set should preferably be used.

*Note* :—No change shall be made in the abbreviation to indicate plurality.

## SCHEDULE VIII

(See Rule 13)

## Certificate of verification

Superintendent of Weights and Measures.....

Name of Inspector..... No.....

I hereby certify that I have this day verified and stamped/rejected the undermentioned weights, measures etc. belonging to.....

Locality.....Trader No.....under the above Act.

Quantity.	Denomination.	CAPACITY.	Weighing Instruments		Measuring Instruments.	Verification fee.	Carriage, conveyance, adjusting charges etc.	
			Class.	Manu- facturer	Type.		Rs.	nP.
Q	Weights. Measures.						Rs.	nP.

Repaired by,

.....(Signature)

Inspector.

Next verification is due on.....

## SCHEDULE IX

( See Rule 15. )

Procedure to be followed for inspection, verification and stamping of commercial weights and measures and weighing and measuring instruments used or for use in transactions.

## PART I.—Weights &amp; Measures.

## 1. Weights.

(a) All weights before stamping shall be verified for correctness against the corresponding working standard weight in the appropriate working standard balance subject to the permissible errors specified.

(b) Weights shall be stamped on the lead in the loading hole at the bottom of the weight, provided that weights without an adjusting hole shall be stamped on the under-surface.

(c) No weights used in gold and silver trade shall be stamped unless they are bullion weights.

(d) No weights used in pearl and precious stone trade shall be marked unless they are carat weights.

## 2. Liquid Measures of Capacity.

(a) Liquid capacity measures shall be tested by filling the working standard measure with water and emptying the contents of the working standard into the measure under test.

(b) In testing a glass measure, the capacity of which is not defined by the brim, the level of the water shall be taken at the bottom of the meniscus.

(c) Where the capacity is indicated by a line, the measure shall be tested to the bottom of the line.

## 3. Measures of Length.

(a) Every measure of length shall be verified by comparison with the working standard.

(b) A link measure, or woven metallic or steel tape measure, shall be tested when subjected to a tension or pull as follows :—

Link Measures	...	...	...	...	8 g
Woven Metallic Tape Measure	....				1 kg
Steel Tape Measure	....		....		5 kg

(c) The measure under test shall be supported throughout its whole length on a plane and even base.

(d) Tape measures which are intended to be used in cases may be accepted for verification and stamping if submitted even without the case.

(e) All non-flexible measures of length shall be stand on the rivets provided in the measure.

(f) In the case of tape measure, the stamp shall be placed on the metal strip at the beginning of the measure.

(g) In the case of link measures, the stamp shall be placed either on a metal level or disc permanently attached to the measure or on the brass handle.

## 4. Volume Measures.

(a) All measures of volume shall be examined with the object of discovering flaws or want of straightness and proper right angles at the corners.

(b) Every measure of volume shall be verified by comparing

length of each side against the working standard of length at or near the normal temperature.

(c) The limits of errors in the case of lengths of the sides of measures of volume shall be the same as prescribed for linear measures.

(d) All measures of volume shall be stamped near the top edge or brass plate securely fastened to them.

## PART 2.—Weighing & Measuring Instruments.

### 1. General.

Weighing and Measuring instruments shall be tested to conform to the specifications given in Schedule VI.

### 2. Beam Scales.

(a) On beam scales, the verification stamp shall be placed on the stud or plug on the beam, immediately under or over the Central knife-edge.

(b) The Inspector may stamp the plug or stud in the same manner as he would stamp a weight.

### 3. Counter Machines, Spring Balances, Steelyards & Automatic Machines.

The verification stamp shall be placed upon the plug or stud provided in the instrument for that purpose.

### 4. Platform Machines & Weighbridges.

(a) Weighbridges, platform Machines and such other weighing instruments as the Superintendent may specify in this behalf, shall be verified and stamped in situ in addition to any preliminary test in the manufacturer's or dealer's premises. Such a preliminary test shall be made at the request of the manufacturer or dealer.

(b) The verification stamp shall be placed upon the plug or stud provided for the purpose in the machine.

### 5 Crane Machines.

(a) Hydraulic Machine in which it is necessary in order to get a correct weight indication, to twist the load hook, shall not be stamped unless a prominent notice to this effect is permanently affixed to the machine.

(b) The verification stamp shall be placed upon the plug or stud provided for the purpose in the machine.

# SCHEDULE X

(See Rule 18)

Fees payable for verifying and stamping Commercial Weights & Measures & weighing & measuring instruments used in transactions for trade or commerce.

## 1. Weights.

*Denomination.*

*Fees per piece*

### (a) Bullion Weights.

20 kg	....	....	....	....	Re. 1.00
10 kg	....	....	....	....	Re. 1.00
5 kg	....	....	....	....	Re. 1.00
2 kg	....	....	....	....	Re. 1.00
1 kg	....	....	....	....	Re. 1.00
500 g	....	....	....	....	50 np.
200 g	....	....	....	....	50 np.
100 g	....	....	....	....	50 np.
50 g	....	....	....	....	50 np.
20 g	....	....	....	....	50 np.
10 g	....	....	....	....	50 np.
5 g	....	....	....	....	50 np.
2 g	....	....	....	....	50 np.
1 g	....	....	....	....	50 np.
500 mg	....	....	....	....	25 np.
200 mg	....	....	....	....	25 np.
100 mg	....	....	....	....	25 np.
50 mg	....	....	....	....	25 np.
20 mg	....	....	....	....	25 np.
10 mg	....	....	....	....	25 np.
5 mg	....	....	....	....	25 np.
2 mg	....	....	....	....	25 np.
1 mg	....	....	....	....	25 np.

### (b) Brass Weights (Other than Bullion).

1 kg	....	....	....	....	50 np.
500 g	....	....	....	....	15 np.
200 g	....	....	....	....	15 np.
100 g	....	....	....	....	15 np.
50 g	....	....	....	....	15 np.
20 g	....	....	....	....	15 np.
10 g	....	....	....	....	15 np.
5 g	....	....	....	....	15 np.
2 g	....	....	....	....	15 np.
1 g	....	....	....	....	15 np.

*(c) Sheet Metal Weights (Other than Bullion)*

500 mg	....	....	....	....	15 np.
200 mg	....	....	....	....	15 np.
100 mg	....	....	....	....	15 np.
50 mg	....	....	....	....	15 np.
20 mg	....	....	....	....	15 np.
10 mg	....	....	....	....	15 np.
5 mg	....	....	....	....	15 np.
2 mg	....	....	....	....	15 np.
1 mg	....	....	....	....	15 np.

*(d) Iron & Steel Weights.*

50 kg	....	....	....	....	50 np.
20 kg	....	....	....	....	50 np.
10 kg	....	....	....	....	50 np.
5 kg	....	....	....	....	50 np.
2 kg	....	....	....	....	50 np.
1 kg	....	....	....	....	50 np.
500 g	....	....	....	....	15 np.
200 g	....	....	....	....	15 np.
100 g	....	....	....	....	15 np.

*(e) Carat Weights.*

500 c	....	....	....	....	50 np.
200 c	....	....	....	....	50 np.
100 c	....	....	....	....	50 np.
50 c	....	....	....	....	50 np.
20 c	....	....	....	....	50 np.
10 c	....	....	....	....	50 np.
5 c	....	....	....	....	50 np.
2 c	....	....	....	....	25 np.
1 c	....	....	....	....	25 np.
50/100 c	....	....	....	....	25 np.
20/100 c	....	....	....	....	25 np.
10/100 c	....	....	....	....	25 np.
5/100 c	....	....	....	....	25 np.
2/100 c	....	....	....	....	25 np.
1/100 c	....	....	....	....	25 np.
0.5/100 c	....	....	....	....	25 np.

**2. Liquid capacity Measures (Including dispensing measures).**

Above 100 litres.	Re. 1.00 for the first 100 litres.	Plus Re. 1.00 for every additional 100 litres or part thereof.
100 l	....	Re. 1.00
50 l	....	Re. 1.00

20 l	....	....	....	....	Re. 1.00
10 l	....	....	....	....	Re. 1.00
5 l	....	....	....	....	50 np.
2 l	....	....	....	....	50 np.
1 l	....	....	....	....	50 np.
500 ml	....	....	....	....	25 np.
200 ml	....	....	....	....	25 np.
100 ml	....	....	....	....	25 np.
50 ml	....	....	....	....	25 np.
20 ml	....	....	....	....	25 np.
10 ml	....	....	....	....	25 np.
5 ml	....	....	....	....	25 np.
2 ml	....	....	....	....	25 np.
1 ml	....	....	....	....	25 np.

### 3. Length Measures.

10 Metres and above	...	...	Re. 1.00
Above 1 Metre to 10 Metres	...	...	50 np.
1 Metres and 0.5 Metres	...	...	25 np.

### 4. Weighing Instruments other than Beam Scales of Class C & D

<i>Capacity</i>	<i>Fee per Instrument.</i>
Above 50 metric tonnes	Rs. 50.00 for the first 50 metric tonnes plus Rs. 10.00 for each additional 25 metric tonnes or part thereof.
Above 25 metric tonnes and not exceeding 50 metric tonnes	Rs. 50.00
Above 10 metric tonnes and not exceeding 25 metric tonnes.	Rs 30.00
Above 5 metric tonnes and not exceeding 10 metric tonnes.	Rs. 20.00
Above 1 metric tonne and not exceeding 5 metric tonnes.	Rs. 15.00
Above 250 kg & not exceeding 1 metric tonnes	Rs. 10.00
Above 50 kg & not exceeding 250 kg	Rs. 5.00
Above 20 kg & not exceeding 50 kg	Rs. 3.00
Above 10 kg & not exceeding 20 kg	Rs. 2.00
Above 500 g and not exceeding 10 kg	Rs. 1.50
Not exceeding 50 g	Re. 1.00

NOTE:—1. Where a weighing instrument has 2 sets of graduations, (one marked for seers and maunds or for lbs. and Cwts. and the other for metric units) two separate fees are payable.



NOTE:—2. Where 2 weigh tables or platforms are connected to one steel-yard or office mechanism, two separate fees in accordance with the capacity of the respective weigh-tables or platforms are payable.

### 5. Beam Scales Class C & D.

*Fees per Instrument.*

Above 1 Metric Tonn	....	....	....	Rs. 15.00
Above 250 kg and not exceeding 1 metric Tonn				Rs. 6.00
Above 50 kg and not exceeding 250 kg	....			Rs. 4.00
Above 20 kg and not exceeding 50 kg	....			Rs. 2.50
Above 10 kg and not exceeding 20 kg	....			Rs. 1.50
Above 500 g and not exceeding 10 kg	....			Re. 1.00
Not exceeding 500 g	....	....	....	Re. 0.75

### 6. Measuring Instruments (Petrol pumps).

*Capacity.*

(a) Exceeding 100 litres	....	....	....	Rs. 20.00 for the first 100 litres plus Rs. 10.00 for each additional 50 litres or part thereof subject to a maximum of Rs. 250.00.
(b) Exceeding 50 litres but not exceeding 100 litres				Rs. 20.00
(c) Exceeding 25 litres but not exceeding 50 litres				Rs. 15.00
(d) Not exceeding 25 litres	....	....	....	Rs. 10.00

## SCHEDULE XI

*(See Rule 25)*

### Licensing Forms

#### FORM 'A'

*Office of the Superintendent of Weights and measures*

Licence to manufacture/repair weights measures, weighing instruments or measuring instruments.

Licence No....      ....      ..      Year....      ....      ....

(1) The Superintendent of Weights and Measures.....  
hereby grants to....      ....      ....      ....      ....  
(Name and address of party or ...      ....      ....  
parties).      ..      ....      ..      ....

A licence to manufacture/repair the following:—

(Include details of the types of....      ....      ....  
weights, measures, weighing....      ....      ....

instruments or measuring ins- ...  
 truments that are licenced to be ...  
 manufactured/repaired by the ...  
 Party.)

(2) The licence is valid for the party named above in respect of his workshop located at...

(3) This licence is valid from... to

(4) The manufacturer/repairer shall comply with the conditions noted below. If he fails to comply with any of these, his licence is liable to be cancelled.

(5) The trade mark/monogram being used by the manufacturer is as under:—

...	...	...	...	...	...	...
...	...	...	...	...	...	...
...	...	...	...	...	...	...
Date....	...	...	...	Signature		
Place....	...	...	Superintendent of Weights & Measures.			
.....						
(Seal)						

NOTE:—In the case of firm, its name with the names of all its members should be given in paragraph 1.

#### *Conditions of Licence*

1. The person in whose favour this licence is issued shall—

(a) comply with all the relevant provisions of the Act and Rules for the time being in force;

(b) not encourage or countenance any infringement of the provisions of the Act, or the Rules for the time being in force and shall report without delay to the Inspector any infringement that may come to his notice;

(c) keep this licence exhibited in conspicuous part of the premises to which it relates;

(b) comply with any general or special directions that may be given by the Superintendent of Weights and Measures of.

(e) surrender the licence if and when required to do so by the Superintendent or any other officer employed under the Act.

2. Every condition prescribed after the issue of this licence shall, if notified in the Official Gazette, be binding on the person/persons to whom the licence has been granted.

## FORM 'B'

*Office of the Superintendent of Weights and Measures.*

Licence to a dealer in weights, measures, weighing instruments or measuring instruments.

Licence No..... Year.....

(1) The Superintendent of Weights and Measures....

hereby grants to...                 ...                 ...                 ....                 ....                 ....

(Name and address of party or... parties)....	....	....	....	....
	....	....	....	....

A licence to deal in the following:—

(Indicate details of the types....                      ....                      ....                      ....)

of weights, measures, weighing....	....	....	....
------------------------------------	------	------	------

or measuring instruments that...	....	....	....
----------------------------------	------	------	------

are licenced to be dealt with by....

the party).

(2) The licence is valid for the party named above in respect of his premises located at.... ....

[illegible]

(3) This licence is valid from.... ....to ....

(4) The dealer shall comply with the conditions noted below. If he fails to comply with any one of these, his licence is liable to be cancelled.

Date.... Signature

Place....      ....      ....      Superintendent of Weights and Measures.

(Seal) -

NOTE:—In the case of firm, its name with the names of all its members should be given in the paragraph 1.

1. The person in whose favour this licence is issued shall:—

(a) comply with all the relevant provisions of the Act and Rules for the time being in force;

(b) not encourage or contenance any infringement of the provisions of the Act, or the Rules for the time being in force and shall report without delay to the Inspector any infringement that may come to his notice;

(c) keep this licence exhibited in some conspicuous part of the premises to which it relates;

(d) comply with any general or special directions that may be given by the Superintendent of Weights and Measures of

••••• ••••• ••••• ••••• ••••• •••••

(e) surrender the licence if and when required to do so by the Superintendent or any other officer employed under the Act.

(2) Every condition prescribed after the issue of this licence shall, notified in the Official Gazette, be binding on the person/ persons to whom the licence has been granted.

## SCHEDULE XII

(See Rule 25)

Licensing and renewal fees for manufacturers, repairs or dealers of weights, measures, weighing or measuring instruments.

Manufacturers	....	....	....	Rs. 25.00 per year.
Repairers	....	....	....	Rs. 5.00 per year.
Dealers	....	....	....	Rs. 10.00 per year.

## SCHEDULE XIII

(See Rule 25)

Register of Licenced manufacturer/repairers/dealers in weights/measures/weighing instruments/measuring instruments.

*Office of the Superintendent of Weights and Measures.*

Licence No.	Date of Issue	Name parentage and residential address of the manufacturer/repairer/dealer.	Place where work shop is situated.	Articles to be manufactured/ repaired/sold.	Trade mark, monogram being used.	Orders regarding cancellation of licence.	Result of appeal.	REMARKS.
1	2	3	4	5	6	7	8	9

NOTE:—(1) In the case of a firm, its name with the name of all its members shall be given in column 3.

(2) Column (6) does not apply to repairers and dealers.

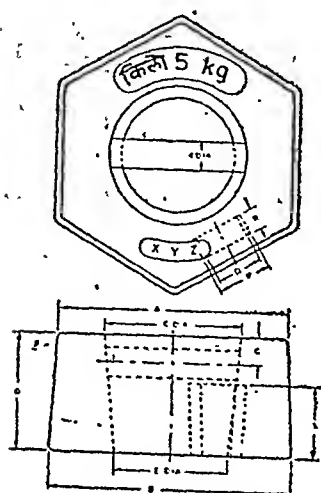


FIG 1 CAST IRON WEIGHT WITH CAST-IN HANDLE

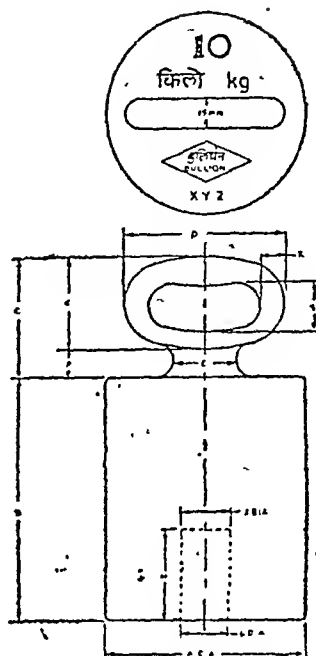


FIG 3 CYLINDRICAL BULLION WEIGHT WITH HANDLE

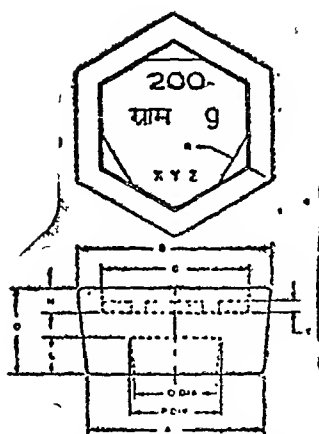


FIG 2 CAST IRON OR FORGED MILD STEEL WEIGHT

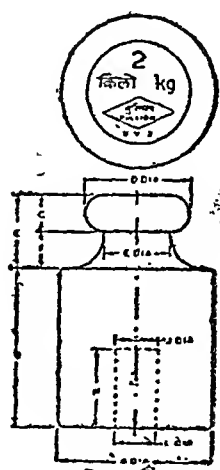


FIG 4 CYLINDRICAL BULLION WEIGHT WITH KNOB

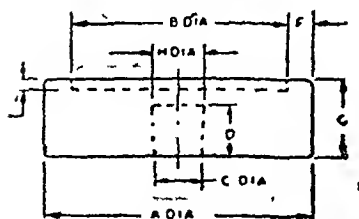
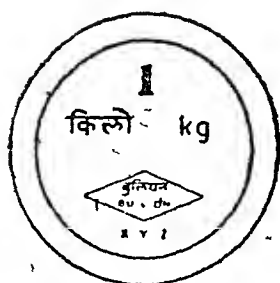


FIG 5 FLAT CYLINDRICAL BULLION WEIGHT

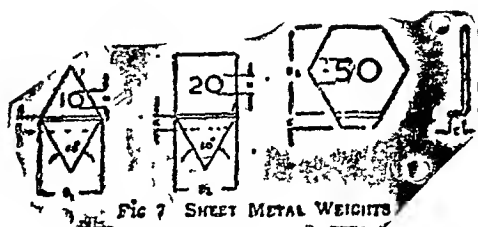


FIG 7 SHEET METAL WEIGHTS

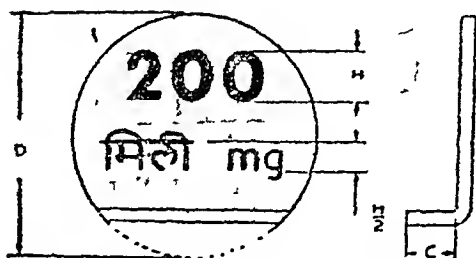


FIG 8 SHEET METAL BULLION WEIGHT

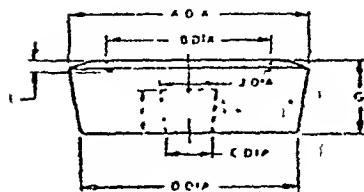
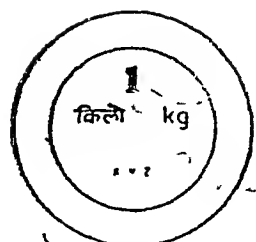


FIG 6 FLAT CYLINDRICAL WEIGHT

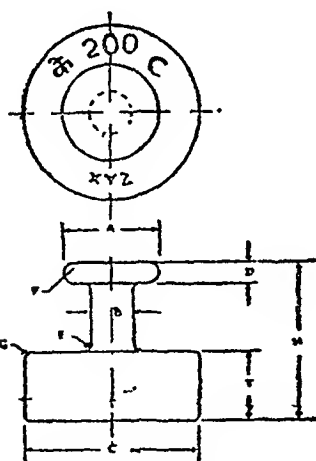


FIG 9 Carat Weight (knob)

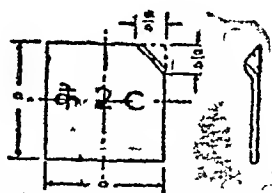


FIG 10 Sheet Metal Carat Weight

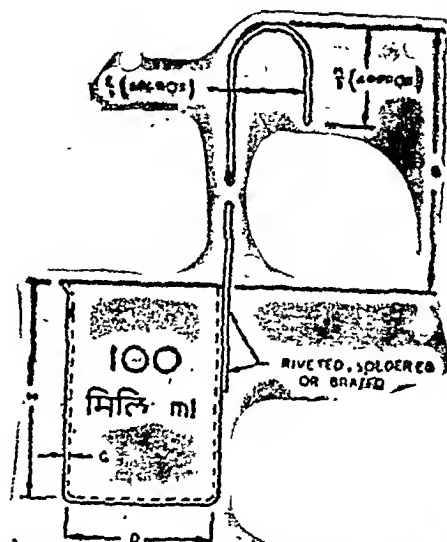
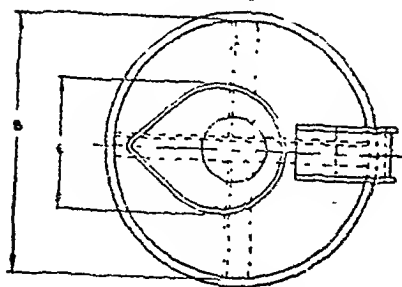


FIG 11A DIPPING TYPE CYLINDRICAL MEASURE (SCHEMATIC)

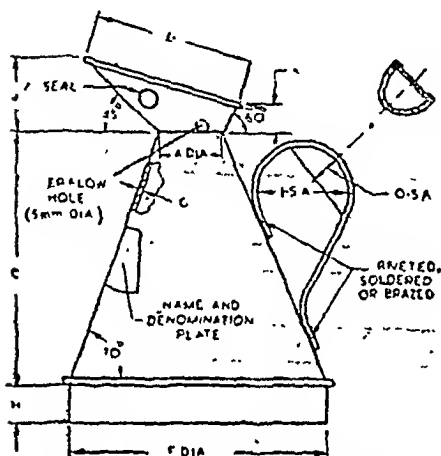


FIG 12 POURING TYPE CONICAL MEASURE (SCHEMATIC)

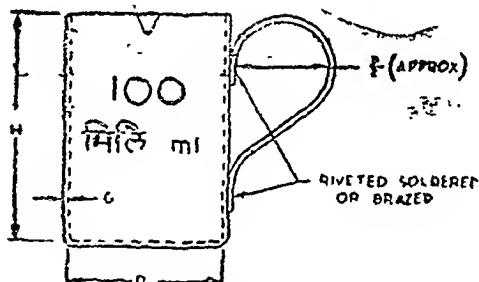
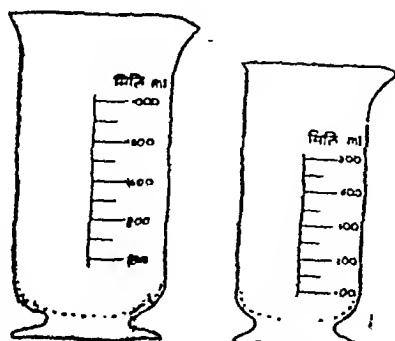
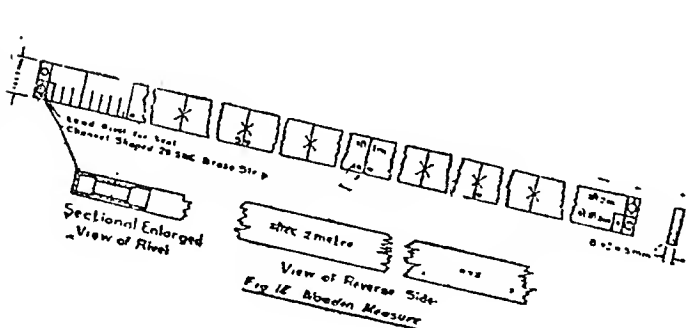
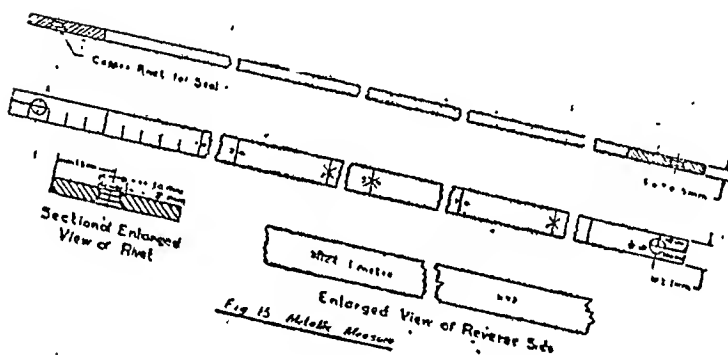
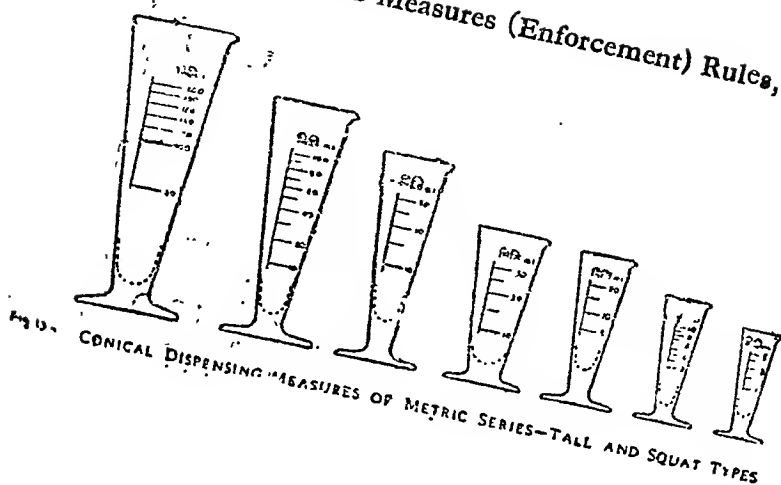


FIG 11B POURING TYPE CYLINDRICAL MEASURE (SCHEMATIC)



BEAVER MEASURES OF METRIC SERIES

# The Raj. Weights and Measures (Enforcement) Rules, 1959



Sectional Enlarged View of Rivet



*Notifications under*

## **The Rajasthan Weights and Measures (Enforcement) Act,, 1958.**

*Published in Raj. Raj-patra part IV (c) dated September 30, 1958*

Industries (A) Department

### **NOTIFICATION**

*Jaipur, September 30, 1958.*

No D. 12791/F. 23 (3)/Ind. (A)/58.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights & Measures (Enforcement) Act, 1958 (Act No. 32 of 1958) the State Government hereby appoints the 1st day of October, 1958, as the date on which the provisions of the said Act in so far as they relate to units of mass shall come into force in respect of transactions involving sale and purchase of goods in the districts of Ajmer, Bikaner, Jodhpur, Jaipur, Kotah and Udaipur.

By Order of the Governor,  
A. K. ROY,

Secretary to the Government.

*Published in Raj. Raj-patra part I (a) dated June 23, 1960 at page 83*

Industries (A) Department

### **NOTIFICATIONS**

*Jaipur, December 31, 1959.*

No D.11745/59/F.23(3)Ind./A/58.—In exercise of the powers conferred by section 40 of the Rajasthan Weights & Measures (Enforcement) Act, 1958 (Act No. 32 of 1958), the State Government hereby delegates to the Director of Industries and Supplies, Rajasthan, Jaipur, the powers under sub-section (1) of section 15 for the appointment of Inspectors/Assistant Inspectors of Weights and Measures, for exercising the powers and discharging the duties conferred or imposed on them by or under the Act.

By Order of the Governor,  
Z. S. JHALA,

Secretary to the Government.

*Jaipur, August 4, 1959.*

No. D. 7922/59/F. 23(3) Ind. (A)/58 —In exercise of the powers conferred by section 40 read with section 15 (2) of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (Act No. 32 of 1958), the State Government hereby delegates to the Director of Industries and Supplies, Rajasthan, Jaipur, the power to define the local limits within which Inspector or Assistant Inspector shall exercise the powers and discharge the duties conferred or imposed on him by or under the Act.

*Published in Raj. Raj-patra part IV (c) dated April 29, 1960 at page 15*

*Jaipur, April 29, 1960.*

No. D. 3992/F. 23 (2) Ind. (A)/60.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (32 of 1958) the State Government hereby appoints 1st May, 1960 as the date on which the provisions of the said Act in so far as they relate to units of mass, shall come into force in respect of transactions involving sale and purchase of goods in all the remaining districts of Rajasthan, left uncovered by this Department Notification No. D. 12791/F. 23 (3) Ind. (A)/58, dated 30th September, 1958.

By Order of the Governor,  
P. N. SETHI,

Dy. Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated August 25, 1960 at page 296*

Industries (A) Department  
NOTIFICATION

*Jaipur, August 9, 1960.*

No. F. 23 (2) Ind./A/60.—In exercise of the powers conferred by section 8 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (32 of 1958); the State Government hereby directs that in the trade pertaining to "LIQUID PAINTS" no transaction, dealing or contract, shall be made or had except by measures (by volume and not by weight) with effect from the 15th of August, 1960.

By Order of the Governor,  
Z. S. JHALA

Secretary to the Government.

*Published Raj. Raj-patra part I (b) dated October 20, 1960 at page 376*

Industries (A) Department  
NOTIFICATIONS

*Jaipur, September 12, 1960.*

No. F. 23 (15) Ind./A/59-1.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (32 of 1958) the State Government hereby appoint 1st October, 1960, as the date on which the provisions of the said Act shall come into force in respect of Cotton Textile Mills in so far as they undertake the sale of yarn and cotton textile-products (other than cloth) or the stamping of cloth, yarn and other cotton textile products.

*Jaipur, September 12, 1960.*

No. F. 23 (15) Ind./A/59-2.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (32 of 1958) the State Government hereby

appoint 1st October, 1960, as the date on which the provisions of the said Act shall come into force in respect of the classes of undertakings specified below to the extent specified therein.

(i) factories engaged in the processing of coir yarn or the manufacture of coir products in so far as they undertake the purchase of coir or coir yarn or the sale of coir, coir yarn and other coir products.

(ii) the Central Coir Co-operative Marketing Societies in so far as they undertake the purchase of coir or coir yarn or the sale of coir, coir yarn and other coir products.

*Jaipur, September 12, 1960.*

No. F. 23(15) Ind./A/59-3.—In exercise of powers conferred by sub-section (3) of section 1 of the Rajasthan Weights & Measures (Enforcement) Act, 1958 (32 of 1958) the State Government hereby appoint 1st October, 1960, as the date on which the provisions of the said Act in so far as they relate to units of mass shall come into force in respect of *Sugar Factories* in so far as they undertake the purchase of Sugar cane or sale of Sugar.

By Order of the Governor,  
A. K. ROY  
Secretary to Government.

*Published in Raj. Raj-patra part I (b) dated September 29, 1960 at page 313*

Industries (A) Department

### NOTIFICATIONS

*Jaipur, September 12, 1960.*

No. F. 23(15) Ind./A/59-4.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (32 of 1958) the State Government hereby appoint 1st October, 1960, as the date on which the provisions of the said Act shall come into force in respect of *factories engaged in the manufacture of paints* in so far as they undertake the sale of paints.

*Jaipur, September 12, 1960.*

No. F. 23 (15) Ind./A/59-5.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (32 of 1958) the State Government hereby appoint 1st October, 1960, as the date on which the provisions of the said Act in so far as they relate to units of mass shall come into force in respect of *factories engaged in the manufacture of biscuits* in so far as they undertake sale of biscuits.

*Jaipur, September 12 1960.*

No. F. 23 (15) Ind./A/59-6.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (32 of 1958), the State Govern-

ment hereby appoint 1st October, 1960, as the date on which the provisions of the said Act in so far as they relate to units of mass shall come into force in respect of factories engaged in the *manufacture of soap* to the extent they undertake the purchase of raw materials for such manufacture and the of sale soap.

*Jaipur, September 12, 1960.*

No. F. 23(15) Ind./A/59-7.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (32 of 1958) the State Government hereby appoint 1st October, 1960, as the date on which the provisions of the said Act shall come into force in respect of factories engaged in the manufacture of drugs in so far as they undertake the sale of drugs or purchase of materials.

*Jaipur, September 12, 1960.*

No. F. 23 (15) Ind./A/59-8.—In exercise of the powers conferred by sub section (3) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (32 of 1958) the State Government hereby appoint 1st October, 1960, as the date on which the provisions of the said Act shall come into force in respect of crude petroleum products, produced, manufactured, distributed, bought or sold, whether by a producer, manufacturer or distributor of crude petroleum or petroleum products or by an agent dealer or retailer engaged in buying and selling crude petroleum or petroleum products.

By Order of the Governor,  
A. K. ROY,  
Secretary to the Government.

*Notifications under*

**Rajasthan Weights and Measures (Enforcement) Act, 1958**

*Published in Raj. Raj-patra part I (b) dated August 3, 1961 at page 152 :*

*Jaipur, June 20, 1961.*

No. F. 10 (4) Ind. (A)/61.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (Act No. 32 of 1958), the State Government hereby appoints the 1st day of July, 1961 as the date on which the provisions of the said Act, in so far as they relate to units of capacity, shall come into force in the districts of Ajmer, Bikaner, Jodhpur, Jaipur, Kotah and Udaipur.

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

*Published in Raj Raj-patra part IV (c) dated November 14, 1961, at page 213 :*

Industries 'A' Department

**NOTIFICATION**

*Jaipur, November 6, 1961.*

No. F. 10 (4) Ind./A/61.—In exercise of the powers conferred by sub-section (5) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (Act No. 32 of 1958), the State Government hereby appoints 15th November, 1961, as the date on which the provisions of the said Act, in so far as they relate to units of length, shall come into force in the whole of the State of Rajasthan except in those classes of undertakings or those classes of goods in respect of which the said provisions have already come into force.

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

*Published in Raj. Raj patra part IV (c) dated April 26, 1962 at page 127*

**NOTIFICATION**

*Jaipur, February 13, 1962.*

No. F. 10 (4) Ind. (B) 61.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (Act No. 32 of 1958), the State Government hereby appoints 1st March, 1962 as the date of which the provisions of the said Act, in so far as they relate to units of capacity, shall come into force in the districts of Alwar, Tonk,

Sawai Madhopur, Sikar, Nagaur, Bhilwara, Pali, Sri Ganganagar, Barmer, Jhalawar, Bundi and Bharatpur.

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

*Published in Raj. Raj-patra part (b) dated September 30, 1958 at page .*

Industries (A) Department

### NOTIFICATION

*Jaipur, September 30, 1958.*

No. D. 12791/F. 23 (3)/Ind. (A)/58.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights & Measures (Enforcement) Act, 1958 (Act No. 32 of 1951) the State Government hereby appoints the 1st day of October, 1958, as the date on which the provisions of the said Act in so far as they relate to unit of mass shall come into force in respect of transactions involving sale and purchase of goods in the districts of Ajmer, Bikaner, Jodhpur, Jaipur, Kotah and Udaipur.

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

*Published in Raj Raj-patra part IV (c) dated July 19, 1962 at page 375 :*

Industries 'A' Department

### NOTIFICATION

*Jaipur, July 11, 1962.*

No. F. 10 (5) Ind. (A) 62.—In exercise of the powers conferred by sub-section (3) of section 1 of the weights and Measures (Enforcement) Act, 1958 (Rajasthan Act 22 of 1958), the State Government hereby appoints 1st August, 1962 as the date on which the provisions of the said Act, in so far as they relate to units of capacity, shall come into force in all the remaining districts of the State of Rajasthan left uncovered by this Department Notification No. F. 10 (4)/Ind (A)/61 dated 20th June, 1962.

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated July 26, 1962 at page 290*

Industries 'A' Department

### NOTIFICATION

*Jaipur, July 17, 1962.*

No. F. 10 (4) Ind. (A) 61.—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights and

Measures (Enforcement) Act, 1958 (Rajasthan Act 32 of 1958), the State Government hereby appoints 1st August, 1962 as the date on which the provisions of the said Act shall come into force in the whole of the State of Rajasthan in respect of undertakings engaged in the manufacture of alcohol in so far as they undertake the sale of alcohol.

By Order of the Governor,  
A. K. ROY,

Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated November 13, 1962 at pages 427 :*

Industries 'A' Department  
NOTIFICATION

*Jaipur, November 13, 1962.*

No F. 10 (4) Ind. (A)/61.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (Rajasthan Act 32 of 1958) the State Government hereby appoints the 15th November, 1962, as the date on which the provisions of the said Act in so far as they relate to units of mass shall come into force in the whole of the State of Rajasthan except in relation to those classes of undertakings or those classes of goods in respect of which the said provisions have already come into force.

By Order of the Governor,  
A. K. ROY,

Secretary to the Governor.

# *Notifications under*

## RAJASTHAN WEIGHTS AND MEASURES (ENFORCEMENT) ACT, 1958

Notification No. F. 10/1 (9)/WM/7276-7345.—In exercise of the powers conferred upon me by the Government vide Notification No. D. 7922/59/F. 23 (3)/I.A/158 dated 4-8-1959, issued under sub-section (2) of section 15 of the Rajasthan Weights and Measures (Enf.) Act 1953, the local limits within which each Inspector or Assistant Inspector, shall exercise the powers and discharge the duties conferred or imposed on him by or under this Act are hereby defined as noted against each:—

S. No:	Designation	Place of posting	Local limits/Jurisdiction
1	2	3	4
1	Inspector, Weights & Measures (H. Qrs.)	Jaipur	The whole of Rajasthan
2	Inspector, Weights & Measures	Jaipur	Jaipur & Amber sub-divisions
3	do	Dausa	Dausa sub-division
4	do	Kotputli	Kotputli sub-division
5	do	Sambhar	Phulera sub-division
6	do	Alwar	Alwar & Rajgarh sub-divisions
7	do	Tijara	Tijara & Behror sub-divisions
8	do	Bharatpur	Bharatpur & Bayana sub-divisions
9	do	Dholpur	Dholpur sub-division
10	do	Deeg	Deeg sub-division
11	do	Sawai-Madhopur	Sawai-Madhopur and Gangapur sub-divisions
12	do	Hindaun	Hindaun & Karauli sub-divisions
13	do	Jhunjhunu	Jhunjhunu district
14	do	Sikar	Sikar sub-division
15	do	Fatehpur	Fatehpur sub-division
16	do	Neem-ka-Thana	Neem-ka-Thana sub-division
17	do	Tonk	Tonk sub-division
18	do	Malpura	Malpura sub-division
19	do	Ajmer	Ajmer sub-division



1	2	3	4
20	do	do	Kishangarh Kishangarh sub-division
21	do	do	Beawar Beawar sub-division
22	do	do	Kekri Kekri sub-division
23	do	do	Jodhpur Jodhpur sub-division
24	do	do	Phalodi Phalodi sub-division
25	do	do	Pali Pali & Bali sub-divisions
26	do	do	Sojat Sojat & Jetaran sub-divisions
27	do	do	Nagaur Nagaur & Merta sub-divisions
28	do	do	Deedwana Deedwana & Parbatsar sub-divisions
29	do	do	Barmer Barmer district
30	do	do	Jaisalmer Jaisalmer district
31	do	do	Jalore Jalore district
32	do	do	Sirohi Sirohi district
33	do	do	Bikaner Bikaner District (excluding Nokha Tehsil).
34	do	do	Nokha Nokha Tehsil.
35	do	do	Churu Rajgarh sub-division
36	do	do	Sujargarh Sujargarh Tehsil
37	do	do	Sardarshahar Sardarshahar Tehsil
38	do	do	Ratangarh Ratangarh Tehsil and Dungargarh Tehsils
39	do	do	Ganganagar Ganganagar, Karanpur and Raisinghnagar sub- divisions
40	do	do	Nohar Nohar & Hanumangarh sub divisions
41	do	do	Kota Kota sub-division
42	do	do	Baran Baran & Chhabra sub- divisions
43	do	do	Ramganj Chechat sub-division mandi
44	do	do	Bundi Bundi district
45	do	do	Jhalawar Jhalawar district
46	do	do	Udaipur Udaipur & Phalasia
47	do	do	Rajsamand Rajsamand & Bhim sub- divisions
48	do	do	Vallabhnagar Vallabhnagar & Salum- ber sub-divisions
49	do	do	Bhilwara Bhilwara District

1	2	3	4
50	do	do	Chittorgarh Chittorgarh District
51	do	do	Dungarpur Dungarpur District
52	do	do	Banswara Banswara District

[Rajasthan Gazette-Part I (Kha) dated 17-10-1963—Page 471]

### INDUSTRIES (A) DEPARTMENT

Jaipur, November 30, 1964

Notification No. F. 39 (175) Ind./A/64.—In Exercise of the powers conferred by sub-section (1) of section 15 of the Rajasthan Weights & Measures (Enforcement) Act, 1958 (Rajasthan Act 32 of 1958), the State Government hereby appoints all the District Industries Officers and Regional Deputy Directors, functioning under the Department of Industries and Civil Supplies, Rajasthan, to be Assistant Controllers of Weights and Measures, for exercising the powers and discharging the duties conferred or imposed on them by or under the said Act.

[Pub. in Raj. Gaz 4 (Ga)-Dt. 21-1-65—P. 799]

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*Rules and Notifications under*

WILD ANIMALS & BIRDS PROTECTION ACT, 1951.  
( RAJ. ACT, No. 13 OF 1951 ).

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# RAJASTHAN WILD ANIMALS AND BIRDS PROTECTION RULES, 1958

*Jaipur, may 2, 1958.*

No. F. 23 (34) Rev.-A/58.—In pursuance of section 12 read with sub-sections (2) and (3) of section 11 of the Rajasthan Wild Animals and Birds Protection Act, 1951, the State Government does hereby make the following rules, namely :—

1. *Short title.*—These rules may be called the Rajasthan Wild Animals and Birds Protection Rules, 1958.

*Notes.*

Section 12 of the Act of the Rajasthan Wild Animals and Birds protection Act, 1951 authorises the Government to make rules for the purpose of carrying into effect the provisions of the Act.

These rules are meant for putting into effect the provisions of section 11 of the Act.

2. *Interpretation.*—In these rules “Act” means the Rajasthan Wild Animals and Birds Protection Act, 1951 and “section” means a section of the Act.

3. *Authorisation.*—The following officers are hereby authorised to arrest without warrant under sub-section (2) of section 11, any person, who has committed or is reported of having committed any offence under the Act, namely:—

- (1) All Forest Officers not below the rank of a Forester;
- (2) The Wild Life Preservation Officer;
- (3) Game Wardens, Game Rangers and Game Watchers of the Forest Department;
- (4) All Revenue Officers not below the rank of a Girdawar.

4. *Rank of an officer making a complaint.*—No police officer nor any of the officers specified in rule 3 shall make a complaint in writing under sub-section (3) of section 11 unless he holds a rank not below that of a sub-inspector of Police.

*Notes.*

Section 11 of the Act requires that,—(1) No court inferior to that of a Magistrate of the second class shall try any offence under this Act.

(2) Any Police Officer or any other officer or class of officers authorised in this behalf by the Government may arrest without warrant any person who has committed or is suspected of having committed any offence under this Act.

(3) No court shall take cognizance of any offence under this Act, except on the complaint in writing of a Police Officer or any other officer authorised under sub-section (2) not below such rank as the Government may prescribe.

The rules 3 and 4 name the authorities as required under sub-section (2) and (3) of section 11 of the Act.

By Order of the Governor,  
R. N. HAWA,  
*Secretary to the Government.*

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*These rules have been first published in Rajasthan Rai-batra dated June 12, 1958. in Part IV (c) at page 429.*

## NOTIFICATIONS UNDER WILD ANIMALS & BIRDS PROTECTION ACT

*Published in Raj. Raj-patra Vol. 4 No. 85 Dated 16-8-52 at page 452 :*

### REVENUE (FOREST CO-OPERATIVE) DEPARTMENT. NOTIFICATION.

Jaipur, August 12, 1952.

*No. F. 8 (4) For./52.*—In exercise of the power conferred by sub-section (3) of section 1 of the Rajasthan Wild Animals and Birds Protection Act, 1951, the Government of Rajasthan is pleased to appoint August 15, 1952, as the date on which the said Act, shall come into force.

By Order of  
His Highness the Rajpramukh  
SHYAMLAL,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated November 19, 1955 part I (b) at page 633 :*

### FOREST DEPARTMENT

### NOTIFICATION.

Jaipur, November 7, 1955.

*Miscellaneous No. F. 39 (2) For /55.*—In exercise of the powers conferred under Section 5 of the Rajasthan Wild Animals and Birds Protection Act, 1951, the Rajpramukh is pleased to declare the following areas the boundaries of which are described in Schedule A attached hereto, as Reserved Areas wherein it shall be unlawful to hunt, shoot, net, trap, snare, capture or kill any kind of wild animals and birds at any time of the year.

(1) Jaisamand. (2) Sawai Madhopur. (3) Sariska. (4) Darrah. (5) Dholpur (Ramsagar, Ban Bihar and Kesarbagh).

### SCHEDULE A.

Jai Samand.	East:—Gandhi village and Jaisamand Bund. West:—Jadiana and Piladhar village. North:—Nandvi, Advas, Guda, Dayana and Juni Jhar villages. South:—Ghanda-ji ka-Gara, and Nehudi, Bambuda viran, Ghator, Veerpur and Ghatpur villages.
Sawai Madhopur.	East:—Sawai Madhopur-Khandar Road. West:—Mor Doongri and Mansorowar. North:—Chindali forests. South:—Gosadan, Indala.
Sariska.	East:—Kalighat-Tehla Road. West:—Thana Gazi, Amra-ka-Bas, Mala Dohar.

North:—Indok, Karna, ka-Bas Protected Zamindar forests.

South:—Dabkan. Reserved forests.

East.—The Ahu and Kali Sindh-rivers.

West:—The Chambal river.

North:—The Mukandwara hill range from the Kalisindh rivers, along Kalipura, Chand baori, Baontha and Molso villages.

South:—The Mukandwara hill range from the Chambal to the Kalisindh along Ghantoli & Ghati Jagir villages.

Dholpur (Ramsagar). East:—Sateri Village.

West:—Jamura, Neharawalala villages.

North:—Ramsagar embankment.

South:—Pucca Road from Dholpur to Gurja.

Dholpur (Ban Bihar). East:—Patwari Village.

West:—Waripura.

North:—Kukpur Bibhi village.

South:—Virpur Baripura Village.

Dholpur (Kesharbagh). East:—Bichia village.

West:—Bishonoda.

North:—Hirnoda village.

South:—Garbapura village.

By Order,  
P. N. KAUL,

*Secretary to the Government.*

*Published in Raj. Raj-patra Dated April 7, 1956 part I (b) at page 2 :*

## REVENUE DEPARTMENT

### NOTIFICATION.

Jaipur, March 13, 1956.

SUBJECT:—Creation of Bird Sanctuary at Keola Deo (Bharatpur).

No. 239 (17) 53.—In exercise of the powers conferred by Sec. 5 of the Rajasthan Wild Animals and Birds Protection Act, 1951 (Act No. XIII of 1951), Government have been pleased to declare Keoladeo Ghana at Bharatpur as a reserved area for Bird Sanctuary.

P. N. KAUL,

*Secretary to the Government.*

*Published in Raj. Raj-patra Dated September 18, 1958 part I (b) at page 733 :*

## REVENUE (A) DEPARTMENT.

### NOTIFICATION

Jaipur, August 5, 1958.

No. F. 39 (2) Rev A/54.—In exercise of the powers conferred by section 5 of the Rajasthan Wild Animals and Birds Protection Act, 1951, (Act No. XIII of 1951) the Governor is hereby pleased to make the following amendment in the Schedule 'A' to the Forest

Department Notification, Miscellaneous No. F. 39 (2) For /55 dated 7 11-1955, namely:—

### AMENDMENT

In the said notification—

For the existing entries against Sawai Madhopur and Sariska, the following entries may be substituted:—

Sawai Madhopur	<p>East:—Glaisagar, Korwan hill, Khandar Sawai Madhopur service road.</p> <p>West:—Bodel Khandar Forest Road (2 miles) Tenduwala Patta. Soleshwar Range Misra Dra.</p> <p>North:—Dang Itawda, Hills of Berda and Lakarda, Milak talab Misra, Dra.</p> <p>South:—Khandar-Sawai Madhopur Road.</p>
Sariska	<p>East:—Dangawara, Boreta, Thosra, Naya Gaon, Bhandodi, Baleta, Mundawara, Prithipura, Impipura, Ch- and Pahari Nirbhanpura and Dharampura village.</p> <p>West:—Mundawara, Rechamala, Duharmala, Thanagazi, Amarkabas, Jodha Bas, Shyampura, Rajpura, Gopal-pura and Jaipura Villages.</p> <p>North:—Mundawar, Manawas villages, Adama Reserved Forest, RaikaGuara and Kali Khol Reserved Forests.</p> <p>South:—Seliberi Reserved Forest, Kalwar villages, Tilwari Reserved Forests, Dadkan, Ghewar, Chavaka Bas, Munlipura, Nandu villages and Tehla-Rajgarh Road.</p>

By Order of the Governor,

" R. N. HAWA,

*Secretary to the Government.*

Published in Raj. Raj-patra Dated February 6, 1958 part I (b) at page 1049 :

# FOREST DEPARTMENT

## NOTIFICATION

Jaipur, November 29, 1957.

No. F. 39 (2) For./54. In exercise of the powers conferred by sections 3 and 4 of the Rajasthan wild Animals and Birds Protection Act, 1951 (Act XIII of 1951), the Government of Rajasthan is hereby pleased to specify in the column 1 of the schedule below the Wild Animals and Wild Birds to which the provisions of the said Act shall apply with effect from the date of publication of this notification in the Rajasthan Gazette and further to declare that in respect of them the close time shall be the period respectively shown against each column No. 4 thereof throughout the whole of Rajasthan:—

### SCHEDULE

S. No.	English name	Hindustani name.	Close period.
1	2	3	4
<i>Series 'A'—Game Birds.</i>			
1. Bustard—			
(a) Great Indian	.... Godavan.		Whole year.
(b) Lesser	.... Tilore.		1st April, to 30th Sept.
2. Ducks and geese—			
<i>A—Ducks—</i>			
(a) Comb	.... Nakta.		1st April to 30th Sept.
(b) Pinkheaded (Rhodenessa cary- ophyllaces loth)	Lal Sira.		Whole year.
(c) Spotted bill	.... Ongarl.		1st April to 30th Sept.
(d) Brahmani duck	Chakna.		-do-
(e) Pin-tail	Sikh Pari.		-do-
(f) Mallard	... Batakh.		-do-
(g) All other kinds	.... Batakh aur Murgabi.		-do-
<i>B—Teals—</i>			
(a) Common teal	.... Girry.		-do-
(b) Whistling teal	.... Silti.		-do-
(c) Cotton teal	.... Girry.		-do-
(d) All other kinds	.... Murgabi.		-do-
<i>C—Geese all kinds</i>	.... Kaz.		-do-
3. Floricans all kinds	.... Kharamauh Charaj.		-do-
4. Jungle fowl	.... Jungli murghi.		-do-
5. Shipes all kind	.... Chaha.		-do-



6. Partridges black and white	...	Kala titar, safed titar.	-do-
7. Grouse, all kind	...	Bhat titar.	-do-
8. Quail-			
(a) Bush quail	...	Lawa.	-do-
(b) Rain quail	...	Beter.	-do-
(c) All other kinds	...	Beter.	-do-
9. Damoiselle crane	...	Kalang, Khranj.	-do-
10. Doves all kinds	...	Fakhta.	-do-

*Series 'B' Non-Game Birds.*

1. Flemings	...	Hayja.	Whole year.
2. Cuckoo	...	Koyel papiha.	-do-
3. Egrets all kinds	...	Bagula, Karchia.	-do-
4. Herons, all kinds	...	Bagula	-do-
5. Hupee	...	Udhudh, khur Bariaya	-do-
6. King fisher	...	Machlimar.	-do-
7. Oreoles all kinds	...	Pilak, har kisma	-do-
8. King crow	...	Bhujaug.	-do-
9. Mynas, all kinds	...	Myna, har kisma.	-do-
10. Seven sisters.	...	Sat Babin.	-do-
11. Crane	...	Saras.	-do-
12. Blue Jays	...	Nilkanth.	-do-
13. Weaver Bird	...	Baya.	-do-
14. Bulbul	...	Bulbul.	-do-

*Series 'C' Animals and Reptiles.*

1. Indian Antelope or Black buck	...	Hiran, Mrig.	1st March to 30th Sept.
2. Four horned antelope	...	Ghantali Chausingha.	-do-
(a) Wild Boars and pigs	...	—	-do-
(b) Lynex	...	—	Whole year.
(c) Ratel	...	—	-do-
3. Large antelope	...	Nil Gai.	1st March to 30th Sept.
4. Spotted deer	...	Chital.	1st Oct. to 28 Feb.
5. Sambhar	...	Sambhar.	1st March to 30th Sept.
6. Indian Gazelle, Ravine Deer	...	Chibkara.	-do-
7. Females and young ones	...	Madeen aur Bachche	Whole year.
8. (a) Tiger and Tigress	...	Sher, Sherni.	1st July to 15th Oct.
(b) Tiger Cubs	...	Sher Ke Bachche	Whole year.
(c) Tigress with cubs	...	Madeen-Bachche wali.	Whole year
(d) Tiger or tigress including cubs and tigresses with cubs	...		
Man eaters	...	Adam Khor	No closed period.

Note:—A tiger or tigress less than 7 ft. in length will be considered as a cub.

- |         |   |   |                       |
|---------|---|---|-----------------------|
| 9.      | Lions, lioness and cubs                 | Kesri, Singh, Babbar-Sher, Sherni aur bachche | Whole year.           |
| 10. (a) | Bears, male and female                  | .... Bhalu, Nar-madeen                        | 1st July to 15th Oct. |
| (b)     | Bear, female with cubs                  | .... Madeen, bachche wali                     | Whole year.           |
| (c)     | Cubs                                    | Bachche                                       | Whole year.           |
| 11. (a) | Panthers and Leopards male or female    | Tendua, Baghera, Nar. .... madeen             | 1st July to 15th Oct. |
| (b)     | Cubs                                    | .... Bachche                                  | Whole year.           |
| (c)     | Panthress with cubs                     | Madeen Bachche wali                           | -do-                  |
| (d)     | Man-eater panthers, panthress and cubs. | Adam Khor                                     | No closed period.     |
- Note:—Any panther or leopard less than 4 ft. in length will be considered as a cub.
- |     |                       |             |             |
|-----|-----------------------|-------------|-------------|
| 12. | Cheeta                | .... Cheeta | Whole year. |
| 13. | Pangoline (Ant-eater) | Balu samp   | -do-        |
| 14. | Monitor lizard        | .... Goha   | -do-        |

By Order of the Governor,  
R. N. HAWA,  
*Secretary to the Government.*

# Rajasthan Entrance to the Game Sanctuaries Rules, 1958.

Revenue (A) Department  
NOTIFICATION

Jaipur, May 13, 1959.

No. D. 6004/F. 20 (8) Rev./A/58- In exercise of the powers conferred by section 12 of the Rajasthan Wild Animals and Birds Protection Act, 1951 (Act No. XIII of 1951) the Government is pleased to make the following rules, namely:

1. *Short title, extent and commencements.*—(a) These rules shall be called the Rajasthan Entrance to the Game Sanctuaries Rules, 1958.

(b) These rules shall apply to all the Game Sanctuaries already established in the State in future.

(c) These Rules shall come into force from the date of their publication in the Rajasthan Gazette.

## Notes

The State Government has made these rules in exercise of the powers conferred by section 12 of the Rajasthan Wild Animals and Birds protection Act, 1951 which reads as under:

(1) The Government may make rules for the purpose of carrying into effect the provisions of this Act.

(2) All such rules shall be published in Rajasthan Gazette and shall upon such publication have effect as if enacted in this Act.

2. *Definitions.*—(a) "Sanctuary" means the areas notified as reserved areas under section 5 of the Rajasthan Wild Animals and Birds Protection Act, 1951.

(b) "Act" means the Rajasthan Wild Animals and Birds Protection Act, 1951.

3. Before entering into a sanctuary, the visitor will contact the Officer in charge of the sanctuary at his office and sign a register kept for the purpose, in which the name, address, nationality and the object of visit, whether for general observation of the Wild life or for taking photographs, of the visitor and every member of his party shall be entered.

4. No body shall enter any sanctuary without being accompanied by an official of the sanctuary.

5. No firearms shall be carried into the sanctuary. All firearms will have to be deposited with the officer in charge of the sanctuary, in his office.

6. No fee will be charged for entry in the sanctuary except for professional photographing.

7. If any special arrangements are required by the visitor, atleast 15 days' notice with necessary remittance of money shall be given to the officer in charge of the sanctuary.

8 Professional photographers taking photographs in the sanctuary for commercial exploitation will be required to obtain permission from the State Board for the preservation of Wild Life or any Sub-Committee appointed by the Board for this purpose. It shall be within the discretion of the Board to refuse to issue such a permit. The quantum of fee for professional photography will be determined in each case by the Board or the Sub-Committee appointed for the purpose by the Board.

R. K. CHATURVEDY,  
Secretary to the Government.

Form of the visitor's book to be kept in each Game Sanctuary.

# VISITOR'S BOOK

Title page on cover

.....Sanctuary

Date	Name in Block Letters.	Address.	Nationality.	Object of whether for watching wild life or for photography whether professional or amature.	Signature.	Remarks.

*Notifications under*

**THE RAJASTHAN ENTRANCE TO THE GAME SANCTUARIES  
RULES, 1958.**

*Published in Raj. Rajpatra part IV (c) dated July 14, 1960 at page 131*

Jaipur, March 21, 1960.

No. D. 478/F. 20 (8) Rev./A/58.—In exercise of the powers conferred by section 12 of the Rajasthan Wild Animals and Birds Protection Act, 1951 (Act No. XIII of 1951), the State Government hereby makes the following amendment in the Rajasthan Entrance to the Game Sanctuaries Rules 1958 (published under this Department Notification No. D. 6004/F. 20 (8) Rev./A/58 dated 13-5-1959), namely:—

**AMENDMENT**

For the existing Rule 8 the following Rule may be substituted namely:—

“(8) Professional photographers shall pay the following fees, in advance, before entering into a Sanctuary for taking photographs. The permit will be issued by the Game Warden or Game Ranger in charge of the Sanctuary.

- |                      |   |
|----------------------|---|
| (a) For Cine Camera  | Rs. 50/- for the first 100 ft. and<br>Rs. 10/- for every subsequent 100<br>ft. or fraction of a roll. |
| (b) For Still Camera | Rs. 25/- per Camera.  |

**R. K. CHATURVEDY,**  
Secretary to the Government.

*Notifications under*

**THE RAJASTHAN WILD ANIMALS & BIRDS PROTECTION  
ACT, 1951.**

*Published in Raj. Raj-patra part IV (c) dated January 8, 1959 at page -1291*

Jaipur, December 5, 1958.

No. D. 15015/F. 20 (37) Rev. A/57.—In exercise of the powers conferred by sub-section (1) of section 5 of Rajasthan Wild Animals and Birds Protection Act, 1951 (13 of 1951), the State Government does hereby declare that the area described below shall cease to be reserved area with immediate effect:—

**DESCRIPTION**

*Dholpur (Kesar Bag)*

*East*—Bichia village.

*West*—Bishonoda village.

*North*—Hirnoda village.

*South*—Gurbapura village.

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) at page 16-19*

Revenue (A) Department

**NOTIFICATION**

Jaipur, July 21, 1960.

No. F. 39 (2) (54) Rev/55/Pt-II.—In exercise of the powers conferred by section 4 of the Rajasthan Wild Animals and Birds Protection Act, 1951 (Act III of 1951) the State Government hereby declares that, except for the Wild Animals and Birds specified in schedule I the close period for all the other Wild Animals and birds shall be the whole year. In respect of the Wild Animals and birds specified in the schedule I, the close period shall be as mentioned against each.

**SCHEDULE I.**

S.No.	Name of Birds & Animals		Close period
	English name	Local name	
1	2	3	4
1.	Spotted deer, males only with hard horns 20" or longer.	Cheetal	1st July to 15th March.
2.	Sambhar, males only with hard horns 30" or longer	Sambhar	15th March to 15th December

2 ] Notifications under Raj. wild Animals & Birds Protection Act, 1951

3.	Nilgai or Blue bull	Nilgai	1st July to 30th September
4.	Black buck, males only with horns over 12'	Harna	Throughout the year upto 1965
5.	Four-horned antelope	Chousingha	ditto
6.	Indian Gazelle	Chinkara	ditto
7.	Tiger, 8' or longer	Shér	1st July to 15th October
8.	Bear, Sloth	Reenoh	ditto
9.	Panther or leopard, 6' or above	Baghéra	ditto
10.	Teals, Ducks, Geese and Swans, including Whistling teal, cotton teal, spot bill, Nakta and Brahmini duck..	Batakh, Murghabi, Kaz & Hans	No close period
11.	Grey Jungle fowl	Jungli Murgha	15th March to 15th October
12.	Partridges, all kinds.	Titar	ditto
13.	Sand grouse, common and rock.	Bhat Titar, Bather	ditto
14.	Quail, all kinds except rail quail	Bater	ditto
15.	Bustards and Floricans other than Great Indian Bustard	Tilore and Khud-Mor	No close period
16.	Water birds including snipe (except painted snipe), sand pipers, stilts, plovers, Godwits, etc. excluding Curlews, Egiser, Spoonbills, Storks, egrets, herons and Flamingoes.		15th March to 15th October
17.	Ibises, Spoonbills, storks, egrets, herons and Flamingoes		Throughout the year
18.	Rodents excluding hare	Chuhe, Gileri, etc.	No close period
19.	Fruit eating bats	Changadar	ditto
20.	Hare	Khargosh	1st June October
21.	Hedge hogs	Jhau chuha	No close period
22.	Fox	Lomri	ditto
23.	Jackal	Gidar	ditto
24.	Paraksets, all kinds	Tote	ditto
25.	Snakes other than Pythons	Sarp	ditto

**Notifications under Raj. wild Animals & Birds Protection Act, 1951 [ 3**

26.	Pythons	Ajgar	1st April to 30th September
27.	Hyena	Jarakh	No close period
28.	Wild Dog	Jungli Kutta	ditto
29.	Wolf	Bhedia	ditto
30.	Pangoline		Throughout the year
31.	Monitor lizard		"
32.	Lynx		"
33.	Wild pigs		1st March to 30th Sept.
34.	Ratel		Throughout the year
35.	Crocodiles and alligators		Throughout the year upto 1965
36.	Great Indian Bustard		Throughout the year

By order of the Governor,  
R. K. Chaturvedy  
Secretary to the Government.



*Notifications under*

**RAJASTHAN WILD ANIMALS & BIRDS PROTECTION RULES, 1958**

*Published in Raj. Raj-patra part IV [c] dated August 25, 1960 at page 289*

Revenue (A) Department

**NOTIFICATION**

Jaipur. August 13, 1960.

No. F. 10 (44) Rev./A/59.—In exercise of the powers conferred by section 12 read with sub-section (2) and (3) of section 11 of the Rajasthan Wild Animals and Birds Protection Act, 1951 (13 of 1951), the State Government hereby makes the following amendments in the Rajasthan Wild Animals and Birds Protection Rules, 1958 (published in the Rajasthan Gazette part IV-C dated 12th June 1958) namely:—

**AMENDMENTS**

In rule 4 of the said Rules.—

After the words "Sub-Inspector of Police" the following word shall be added namely:—

"In the Police Department or a Forest Officer not below the rank of a Range Officer or Game Ranger in the Forest Department."

By order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

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*Rules and Notifications under*

WORKING JOURNALISTS (CONDITIONS OF SERVICES  
& MISCELLANEOUS PROVISIONS) ACT, 1955.  
( CENTRAL ACT No. 45 OF 1955 )

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*Notifications under,*

**WORKING JOURNALISTS ( CONDITION OF SERVICE AND  
MISCELLANEOUS PROVISIONS ) ACT, 1955.**

*Published in Rajasthan Raj-patra Dated July 11, 1957 part IV (c) at page 253*

**INDUSTRIES (C) DEPARTMENT**

(Labour Section).

**NOTIFICATION**

Jaipur, June 12, 1957.

No. F. 15 (8) Lab./55.—In exercise of the powers conferred under section 17 of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act 1955 (45 of 1955) the Government of Rajasthan is pleased to appoint the Labour Commissioner, Rajasthan as an Authority to whom the newspaper employees may make an application for the recovery of the amount due to them.

By Order,

A. K. ROY,

Secretary to the Government of Rajasthan.

*Published, in Raj. Raj-patra Dated August 8, 1957 part I (b) at page 210.*

**NOTIFICATION**

Jaipur, July 30, 1957.

No. F. 15 (8) Lab./55—In exercise of the powers conferred under section 17 of working Journalists (Conditions of service) and Miscellaneous Provisions Act, 1955 (45 of 1955), the Government of Rajasthan is pleased to appoint the Labour Commissioner, Rajasthan as the Authority to issue a certificate under the said section.

Notification No. 15 (8) AB.55, dated the 10th June, 1955 may please be treated as cancelled.

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

*Published in Raj. Raj-patra Dated September 25, 1958 part IV (c) at page 1010.*

Labour Department

**NOTIFICATION**

Jaipur, September 12, 1958

No. F. 1 (58) Lab. 57.—In exercise of the powers conferred under Rule 37 of the Working journalists (Condition of Service and Miscellaneous Provisions) Rules 1957, the Government of Rajasthan is pleased to appoint the following as Inspectors for the respective areas stated against each:—

- |  |  |
|--|--|
| 1. Asstt. Labour Commissioner (Adm. & Lab. Laws) | For whole Rajasthan.                           |
| 2. Labour Officer jaipur & Labour Inspector.     | Ajmer Division<br>Excluding Ajmer<br>District) |
| 3. Labour Officer, Jodhpur & Labour Inspector.   | Jodhpur Division.                              |
| 4. Labour Officer, Kotah & Labour Inspector.     | Kotah Division.                                |
| 5. Labour Officer, Bhilwara & Labour Inspector.  | Udaipur Division.                              |
| 6. Labour Officer, Bikaner & Labour Inspector.   | Bikaner Division                               |
| 7. Labour Officer, Ajmer & Labour Inspector.     | Ajmer District only.                           |

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

*Notifications under*

**WORKING JOURNALISTS (CONDITIONS OF SERVICE)  
& MISCELLANEOUS PROVISIONS) ACT, 1955**

**LABOUR DEPARTMENT**

**NOTIFICATIONS**

Jaipur, April 11, 1963.

No. F. 3 (41) Lab./62.—In exercise of the powers conferred by sub-section (1) of section 17-B of the Working Journalists (Conditions of Service) and miscellaneous provision) Act, 1955 (Act No. of 1955), and in supersession of this department notification No. F. 1 (58) Lab./57 dated the 12th September, 1958, the Government of Rajasthan hereby appoints in virtue of their office, the following persons as Inspectors for the purposes of the said Act to exercise their functions within the local limits mentioned against each, namely:—

- |                             |      |  |
|-----------------------------|------|--|
| 1. Labour Officer, Jaipur   | .... | Jaipur, Sawaimadhopur, Alwar and Bharatpur Districts.            |
| 2. Labour Officer, Ajmer    | .... | Ajmer, Sikar and Jhunjhunu Districts.                            |
| 3. Labour Officer, Kota     | .... | Kota, Bundi, Jhalawar and Tonk Districts.                        |
| 4. Labour Officer, Jodhpur  | .... | Jodhpur, Pali, Sirohi, Barmer Jalore and Jaisalmer Districts.    |
| 5. Labour Officer Bikaner   | .... | Bikaner, Ganganagar, Churu and Nagaur Districts.                 |
| 6. Labour Officer, Bhilwara | .... | Bhilwara, Chittorgarh; Udaipur Dungarpur and Banswara Districts. |

By Order of the Governor,  
S P. SINGH BHANDARI,  
Secretary to the Government.

[Pub. in Raj. Gaz. Ex. 4 [Ga]—Dt. 6-3-65—Page 819 ]

Notification No. F 3 (41) Lab./62.—In exercise of the powers conferred by sub-section 1 of Section 17 of the Workig Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955, (Act 45 of 1955) the State Government hereby specifies the following persons, by virtue of their office to act as authority, to whom the newspaper employees may make an application for the recovery of the amount due to them under the said Act within the local limits mentioned against each, namely:—

1. Regional Assistant Labour Commissioner, Headquarters, Jaipur. Jaipur, Sawaimadhopur, Alwar, Bharatpur, Ajmer, Sikar, Jhunjhunu, Kota, Bundi, Jhalawar and Tonk Districts.
2. Regional Assistant Labour Commissioner, Headquarters, Jodhpur. Jodhpur, Pali, Sirohi, Barmer, Jalore, Jaisalmer, Bikaner, Ganganagar, Churu, Nagaur, Bhilwara, Chittorgarh, Udaipur, Dungarpur and Banswara Districts.

[Rajasthan Gazette-Part I (Kha )-dated 21-11-1963-Page 560].

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*Rules and Notifications under*

WORKMENS COMPENSATION ACT, 1923.

[ CENTRAL ACT No. 8 OF 1923 ].

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# THE RAJASTHAN SILICOSIS RULES, 1955.

## ENGLISH TRANSLATION.

(Authorised by His Highness the Rajpramukh)

### NOTIFICATION

Jaipur, March 21, 1956.

No. F. 15 (14) Lab./52 53—In exercise of the powers conferred by section 32 of the Workmen's Compensation Act, 1923 (VIII of 1923) the Government of Rajasthan is pleased to make the following rules, the same having been previously published as required by section 32 of the said Act.

#### Notes.

Section 32 of the workmen's Compensation Act, 1923 has authorised the State Government to make rules for carrying out the purposes of the Act. Without prejudice to the generality of this power these rules are required to provide for the following matters; namely—

(a) for prescribing the intervals at which and the conditions subject to which an application for review may be made under section 6 when not accompanied by a medical certificate;

(b) for prescribing the intervals at which and the conditions subject to which a workman may be required to submit himself for medical examination under subsection (1) of section 11;

(c) for prescribing the procedure to be followed by Commissioners in the disposal of cases under this Act and by the parties in such cases;

(d) for regulating the transfer of matters and cases from one Commissioner to another and the transfer of money in such cases;

(e) for prescribing the manner in which money in the hands of a Commissioner may be invested for the benefit of dependants of a deceased workman and for the transfer of money so invested from one Commissioner to another;

(f) for the representation in proceedings before Commissioner of parties who are minors or are unable to make an appearance;

(g) for prescribing the form and manner in which memoranda of agreements shall be presented and registered;

(h) for the withholding by Commissioners, whether in whole or in part of half-monthly payments pending decision on applications for review of the same; <sup>3\*</sup>

(i) for regulating the scales of costs which may be allowed in proceedings under this Act;

(j) for prescribing and determining the amount of the fees payable in respect of any proceedings before a Commissioner under this Act;

(k) for the maintenance by Commissioners of registers and records of proceedings before them;

(l) for prescribing the classes of employers who shall maintain notice-books under subsection (3) of section 10, and the form of such notice books;

(m) for prescribing the form of statement to be submitted by employers under section 10 A; and

(n) for prescribing the cases in which the report referred to in section 10 B may be sent to an authority other than the Commissioner.]

State Government has framed these rules under section 32 of the Act, for the purpose of getting compensation on account of having contracted silicosis disease in course of his employment. The present rules prescribe the procedure in this regard and are limited in scope because the same deal with one specific disease i.e. silicosis only. The rules do not apply in cases of compensation on account of other factors.

*These rules have been first Published in Raj. Raj-patra Dated May 26, 1956 part IV (a) at page 81.*

1. *Short title, application and commencement.*—(a) These rules may be called the Rajasthan Silicosis Rules, 1955.

(b) They shall apply to all industries specified in Schedule 'A' of these rules. The State Government may from time to time add to or vary the Schedule.

(c) They shall come into force on such date as the State Government may, by notification in the Rajasthan Gazette, appoint.

2. *Definition.*—In these rules, unless there is anything repugnant in the subject or context—

(a) 'Act' means the Workmen's Compensation Act, 1923 (Central Act No. VIII of 1923).

(b) 'Commissioner' means the Commissioner for Workmen's Compensation appointed under the Act;

(c) 'Initial Examination' means examination prescribed under rule 9 (d) of these rules.

(d) 'Periodical Examination' means examination prescribed under rule 9 (d) of these rules;

(e) 'Examiner' means registered medical practitioner whose name appears in the list published by the State Government in the Rajasthan Gazette as prescribed in Rule 6 of these rules.

(f) 'Mining' as specified in Schedule 'A' of these rules shall be construed as a reference to underground work or employment beneath the surface, to work or employment upon or about rock crushers in a rock crushing station and to work or employment in a sample-crushing room or assay office or on any tailings dump.

3. *Silicosis defined*—For the purpose of these rules, Silicosis shall mean Silicosis of the lungs.

4. *Stages of Silicosis*—A person shall, for the purposes of these rules, be deemed to have or to have had Silicosis :—

(a) in the Ante-primary stage, when it is found on medically and radiological examination that the earliest detectable specific physical signs of Silicosis are or have been present whether or not capacity for work is or has been impaired by such Silicosis ;

(b) in the Primary stage, when it is found on medical and radiological examination that definite and specific physical signs of Silicosis are or have been present and that capacity for work is or has been impaired by that disease though not seriously and permanently ;

(c) in the Secondary stage, when it is found on medical and radiological examination that definite and specific physical signs of Silicosis are or have been present and that capacity for work is or has been seriously and permanently impaired by that disease ;

(d) Silicosis with active Tuberculosis is equivalent to the secondary stage.



5. *Application for compensation*—(a) Every workman who desires the grant of compensation under these rules shall apply to the Commissioner in whose jurisdiction he resides in Form 'A' in duplicate.

(b) Application for compensation by dependants shall be made in Form 'B' and shall be transmitted in duplicate to the Commissioner.

6. *Medical practitioner empowered to examine*—The State Government shall under these rules publish, from time to time, in the Rajasthan Gazette the names of Registered Medical Practitioners who are empowered to carry out examinations and issue certificates.

7. *Ex-officio Examiners*.—The State Government may also appoint Medical Officers in service as ex-officio examiners for the purpose of examination and issue of certificates.

8. *Medical Bureau*—(a) The State Governments shall establish a Medical Bureau consisting of three or more Medical Practitioners or Officers with special knowledge of the diseases of the lungs and respiratory organs, and the Commissioner may, in cases of doubt, or shall, in cases where the employer or the workman is dissatisfied with the certificate granted under these rules, refer the case to the Bureau.

(b) In all such cases the applicant shall be X-rayed and clinically examined. The findings of the Bureau shall be final.

9. *Medical Examination*.—1. (a) Any applicant desiring to work in any of the industries specified in Schedule 'A' after these rules have come into force, shall submit himself to a medical examination by an examiner before whom he shall cause to appear by the employer.

(b) The examiner shall make such examination (including stethoscope examination) of the applicant as will enable him to fill in correctly the initial certificate in Form 'C' that he is free from any disease of the lungs and respiratory organs and is in other respects physically fit for the work for which a certificate is sought.

(c) Such certificate shall be transmitted to the applicant and shall be valid for a period not exceeding five years.

(d) After the initial examination, every workman shall be brought before an examiner by the employer for medical Examination at intervals of not more than five years over a period not exceeding ten years, and thereafter at two yearly intervals.

(e) After every examination subsequent to the initial examination, a certificate in Form 'B' stating that the workman is not suffering from Silicosis or a certificate in Form 'D' (a) "stating that the workman is suffering from Silicosis and in what stage, shall be issued and it shall be the duty of the employer to inform the workman of the contents thereof."

(2) (a) Every workman who is already in service at the time when these rules come into force, if he desires to become eligible for the benefits under these rules, shall be duly medically examined by an examiner before whom he will be caused to appear by the

employer and if found suffering from Silicosis as defined in Rule 4 he shall be entitled to compensation as provided for in the Act.

(b) If it is found not possible for such workman to be present for initial examination and if he is not examined on the day he present himself, his name shall be entered in a register maintained for such a purpose and he shall be deemed to have complied with the rules, provided that he reports himself for examination without delay, on being notified subsequently by the employer of a date and hour on which the examination will be carried out. Failure on the part of the workman thus notified to present himself for examination without sufficient cause shall render him ineligible for compensation and shall release the employer from all obligation under these rules should the workman at any other date present himself for examination and be found to be suffering from Silicosis.

10. *Post-mortem examination.*—(a) Wherever the Commissioner considers it necessary to be satisfied by post mortem examination whether a deceased workman had Silicosis and having obtained the previous consent of the legal representatives of the deceased to the performance of such post mortem examination, he may request any Government medical Officer—to conduct such an examination and send him a copy of Form 'E' to be filled in by him. A medical examiner nominated by the employer shall be given an opportunity to be present at such post mortem examination and shall either agree or disagree with the findings of the Government medical Officer. In the event of disagreement, the report on the case with the lungs shall be referred to the Medical Bureau by the Commissioner for their opinion.

(b) The Medical Officer so requested by the Commissioner shall, without avoidable delay, make the necessary examination and forward his report to the Commissioner in Form 'E' and if Silicosis has been found to be present in the lungs of the deceased, such lungs shall accompany the report.

11. *Workman prohibited from work*—When once a workman has accepted compensation, he is prohibited from working again as such; but he is not obliged to accept compensation and give up his occupation as such.

12. *Compensation not to be greater on continuation.*—If a workman continues to work in any of the industries specified in schedule 'A' for a longer period than three months after he has been certified to be suffering from Silicosis, he is not entitled to a greater amount of compensation than that to which he was entitled when first certified. But this loss of benefit does not extend to his dependants.

13. *Application of General Clauses Act.*—Unless the context otherwise requires, the provisions of the General Clauses Act, 1897 of the Central Legislature shall apply to the interpretation of these rules as they apply to the interpretation of a Central Act.

# SCHEDULE "A"

(See Rule 1 (2) and 9 (1) (a).

Industries involving exposure to the risk of Silicosis.

1. Mining.
  2. Porcelain and Pottery Industries.
  3. Cement Industry
  4. Glass Industry
  5. China Clay Talc Industries.
- 
6. Sandstone Industry.
  7. Quarrying or Crushing or Cutting of Stones.
  8. Manufacture of Bricks and Tiles.
  9. Foundaries and Metal Works.

## FORM "A"

*The Rajasthan Silicosis Rules, 1955*  
Application for Payment of Compensation.

(See Rule 5 (a).

1. The undermentioned workman, hereby apply, under the Rajasthan Silicosis Rules, 1955 for compensation for Silicosis contracted in the course of my employment.

1. Name in full .....
2. Address in full .....
3. Names and addresses and relationship of dependents...  
.....
4. Name of the employer under whom the workman worked last with record of service.....
5. Particulars of earnings .....
6. Particulars of claim .....

I hereby declare that what is stated above is correct.

*Signature of the applicant.*

To.

The Commissioner for Workmen's Compensation.  
.....District.

## FORM 'B'

*The Rajasthan Silicosis Rules, 1955.*  
Application for Compensation by a Dependant  
(See Rule 5 (b)

I or we, the dependant or dependants of the deceased workman named .....an employee in the ..... (Name of the concern or firm) apply for compensation for Silicosis contracted by the workman in the course of his employment and as a result of which he died.

1. Name(s) of dependants(s) in full....
2. Address....
3. Age ...
4. Relationship to the deceased workman ...
5. Occupation ...

6. Particulars of earnings .....  
 7. Particulars of claim .....  
 8. Name of the deceased workman in full ...  
 with name of last employer and record of services there-  
 under ... ..  
 ....  
 9. Date of his death ...  
 10. Cause of his death (Post-mortem certificate to be attached)

I/we hereby declare that I am/we are the ...  
 ... of the late ...  
 ... and that the statements contained in the above  
 application form are true and correct.

*Signature (s) of the applicant(s)*

### FORM 'C'

*The Rajasthan Silicosis Rules, 1955*

Initial Certificate.

*(Issued without alteration).*

*(See Rule 9 (1) (b))*

Expires.... (Name of concern or firm).....

Name in full....

Address...

This is certify that the above named applicant on the .....  
 ... day of . . . 19 .. .. underwent  
 the examination prescribed by Rule 9 (a) of the Rajasthan Silicosis  
 Rules, 1955, and was then free from any disease of the lungs and  
 respiratory organs and was in other respect physically fit for work  
 in industries specified in Schedule 'A'

*Signature of left thumb impres-  
 sion of applicant.*

Marks of Identification—

(1)

(2)

*Examiner.*

Place.....

Date.....

This certificate is to be kept clean and must be produced at  
 the next medical examination.

This certificate expires on.....and will be of  
 no effect after that date.

### FORM 'D'

*(See Rule 9 (1) (c))*

*The Rajasthan Silicosis Rules, 1955.*

Periodical Certificate.

*(Issued without alteration)*

*Expires on.....*

Name in full... ..

Address .... ..

This is to certify that the above named workman on the..... day of ..... 19 ..... underwent medical examination prescribed by Rule 9 (d) of the Rajasthan Silicosis Rules 1955 and that he was not then suffering from Silicosis.

*Signature or left thumb impression  
of the workman.*

Marks of identification.

(1).....

(2).....

Place .....

Date .....

*Signature of the Examiner.....*

The certificate is to be kept clean and must be produced at the next medical examination.

This certificate expires on the..... and will be of no effect after that date.

#### FORM 'D' (a)

*(See Rule 9 (1) (c).*

*The Rajasthan Silicosis Rules, 1955.*

*Periodical Certificate.*

*(Issued without alteration).*

Name in full..... Expires on.....

Address .....

This is to certify that the above named workman on the..... day of.... ..... 19 ..... underwent medical examination prescribed by Rule 9 (d) of the Rajasthan Silicosis Rules, 1955 and that he was then suffering from Silicosis.

*Signature or left thumb impression,  
of the workman.*

Marks of identification :—

(1)

(2)

Place.....

Date.....

*Signature of the Examiner.....*

This certificate is to be kept clean and must be produced at the next medical examination.

This certificate expires on the..... and will be of no effect after that date.

#### FORM 'E'

*(See Rule 10 (a).*

*The Rajasthan Silicosis Rules, 1955.*

*Report on Post-mortem Examination.*

I have this day at.....made a post-mortem examination on a body.

1. Name .....
2. Address.....
3. Designation .....

and as a result of my examination I find that (here state what disease were found to be present)... .. and I certify that the cause of death was .. .. and the deceased was (not) at the time of his death suffering from Silicosis.....or that Silicosis was (not) present as a contributing or predisposing factor or cause of his death or that Silicosis was a predisposing but not a contributing cause of his death. If Silicosis were present as a contributing or a predisposing cause of death state the condition found in the organs stated below and comply with the provisions of Rule 10 printed below.

*Hilar Glands:*

Pleura		Right.
		Left.
Lungs		Right.
		Left.

Any abnormalities in other organs. .

Address.....

Date .....

.....  
*Medical Practitioner.*

N. B.—Strike out inapplicable clauses and attest.

10 (a) Whenever the Commissioner considers it necessary to be satisfied by post-mortem examination whether a deceased workman had Silicosis and having obtained the previous consent of the legal representative of the deceased, to the Performance of such post mortem examination, he may request any Government Medical Officer to conduct such an examination and send him a copy of Form 'E' to be filled in by him. A Medical Examiner nominated by the employer shall be given an opportunity to be present at such post-mortem examination and shall either agree or disagree with the findings of the Government Medical Officer. In the event of disagreement, the report on the case with the lungs shall be referred to the Medical Bureau by the Commissioner for their opinion.

(b) The Medical Officer so requested by the Commissioner shall without avoidable delay, make the necessary examination and forward his report to the Commissioner in Form 'E' and Silicosis has been found to be present in the lungs of the deceased, such lungs shall accompany the report.

By order of  
 His Highness the Rajpramukh,  
 .. R. N. HAWA,  
 Secretary to the Government.

# THE RAJ. WORKMEN'S COMPENSATION RULES, 1960.

Industries (C) Department

(Labour Section)

NOTIFICATION

Jaipur, January 29, 1960

No. F. 1 (70) Lab. /57/5977.—In exercise of the powers conferred by section 32 of the Workmen's Compensation Act, 1923 (Central Act No. VIII of 1923) the State Government hereby makes the following Rules, the same having been published Previously in Rajasthan Raj-Patra Part 3 (b) at pages 53-79 dated the 10th October, 1957, as required by sub-section (1) of section 32 of the said Act.

## RULES

### Preliminary

1. *Short title.*—These rules may be called the Rajasthan Workmen's Compensation Rules, 1960,

### Notes

sub-section (1) of section 32 of the Workmen's Compensation Act, 1923 authorises the state Government to make rules for carrying out the purposes of the Act, without prejudice to the generality of the rule making power such rules are required to provide for—

(a) for prescribing the intervals at which and the conditions subject to which an application for review may be made under section 6 when not accompanied by a medical certificate;

(b) for prescribing the intervals at which and the conditions subject to which a workman may be required to submit himself for medical examination under sub-section (1) of section 11;

(c) for prescribing the procedure to be followed by Commissioners in the disposal of cases under this Act and by the parties in such cases;

(d) for regulating the transfer of matters and cases from one Commissioner to another and the transfer of money in such cases.

(e) for prescribing the manner in which money in the hands of a Commissioner may be invested for the benefit of dependants of a deceased workman and for the transfer of money so invested from one Commissioner to another;

(f) for the representation in proceedings before Commissioner of parties who are minors or are unable to make an appearance.

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Published in Raj. Raj-patra part IV (c) dated February 1, 1960 at page.

(g) for prescribing the form and manner in which memoranda of agreements shall be presented and registered;

(h) for the withholding by Commissioners whether in whole or in part, of half-monthly payments pending decision on applications for review of the same;

(i) for regulating the scales of costs which may be allowed in proceedings under this Act;

(j) for prescribing and determining the amount of the fees payable in respect of any proceedings before Commissioner under this Act;

(k) for the maintenance by Commissioners of registers and records of proceedings before them;

(l) for prescribing the classes of employers who shall maintain notice-books under sub-section (3) of section 10 and the form of such noticebooks;

(m) for prescribing the form of statement to be submitted by employers under sections 10A; and

(n) for prescribing the cases in which the report referred to in section 10B may be sent to an authority other than the Commissioner;

Section 34 of the Act, reading as under, makes the publication of these rules mandatory:—

**34. Publication of rules.**—(1) The power to make rules conferred by section 32 shall be subject to the condition of the rules being made after previous publication.

(2) The date to be specified in accordance with clause (3) of section 23 of the General Clauses Act, 1897, (X of 1897), which a draft of rules proposed to be made under section 32 will be taken into consideration, shall not be less than three months from the date on which the draft of the proposed rules was published for general information.

(3) Rules so made shall be published in the Official Gazette, and, on such publication, shall have effect as if enacted in this Act:

**2. Definitions**—In these rules, unless there is anything repugnant in the subject or context:—

(a) “the Act” means the Workmen's Compensation Act, 1923.

(b) “Form” means a form appended to these Rules;

(c) “section” means a section of the Act.

## PART I

### Review of half-monthly payments and Commutation thereof

#### Notes

The rules in this part are meant to meet the requirements of sections 6 and 7 of the Act reading as under:—

**6 Review.**—(1) any half-monthly payment payable under this Act, either under an agreement between the parties or under the order of a



Commissioner, may be reviewed by the Commissioner, on the application either of the employer or of the workman accompanied by the certificate of a qualified medical practitioner that there has been a change in the condition of the workman or subject to rules made under this Act, on application made without such certificate.

(2) Any half-monthly payment may, on review under this section, subject to the provisions of this Act, be continued, increased, decreased or ended, or if the accident is found to have resulted in permanent disablement, be converted to the lump sum to which the workman is entitled less any amount which he has already received by way of half-monthly payments.

7. **Commutation of half-monthly payments.**—Any right to receive half-monthly payments may, by agreement between the parties or, if the parties cannot agree and the payments have been continued for not less than six months, on the application of either party to the Commissioner be redeemed by the payment of a lump sum of such amount as may be agreed to by the parties or determined by the Commissioner, as the case may be.

3. *When application may be made without medical certificate.*—Application for review of a half-monthly payment under section 6 may be made without being accompanied by a Medical Certificate:—

(a) by the employer, on the ground that since the right of compensation was determined the workman's wages have increased.

(b) by the workmen, on the ground that since the right of compensation was determined his wages have diminished;

(c) by the workman, on the ground that the employer, having commenced to pay compensation, has ceased to pay the same notwithstanding the fact that there has been no change in the workman's condition such as to warrant such cessation;

(d) either by the employer or by the workman, on the ground that the determination of the rate of compensation for the time being in force was obtained by fraud or undue influence or other improper means;

(e) either by the employer or by the workman on the ground that in the determination of compensation there is a mistake or error apparent on the face of the record.

4. *Procedure on application for review.*—If, on examining an application for review by an employer in which the reduction or discontinuance of half-monthly payments is sought it appears to the Commissioner that there is reasonable ground for believing that the employer has a right to such reduction or discontinuance, he may at any time issue an order withholding the half-monthly payments in whole or in part pending his decision on the application.

5. *Procedure on application for commutation.*—(1) Where application is made to the Commissioner under section 7 for the redemption of a right to receive half-monthly payments by the payment of a lump sum, the Commissioner shall form an estimate of the probable duration of the disablement, and shall award a sum equivalent to the total of the half-monthly payments which would be payable for the period during which he estimates that the disablement will continue, less one-half per cent of the total for each month comprised in that period :

Provided that fractions of a rupee included in the sum so computed shall be disregarded.

(2) When, in any case to which sub-rule (1) applies the commissioner is unable to form an approximate estimate of the probable duration of the disablement, he may from time to time postpone a decision on the application for a period not exceeding two months at any one time.

## PART II

### Deposit of Compensation

#### Notes.

Section 8 of the Act provides that, '(1) No payment of compensation in respect of a workman whose injury has resulted in death, and no payment of a lump sum as compensation to a woman or a person under a legal disability, shall be made otherwise than by deposit with the Commissioner, and no such payment made directly by an employer shall be deemed to be a payment of compensation :

Provided that, in the case of a deceased workman, an employer may make to any dependant advances on account of compensation not exceeding an aggregate of one hundred rupees, and so much of such aggregate as does not exceed the compensation payable to that dependant shall be deducted by the Commissioner from such compensation and repaid to the employer.

(2) Any other sum amounting to not less than ten rupees which is payable as compensation may be deposited with the Commissioner on behalf of the person entitled thereto.

(3) The receipt of the Commissioner shall be a sufficient discharge in respect of any compensation deposited with him.

(4) On the deposit of any money under sub-section (1) as compensation in respect of a deceased workman the Commissioner shall deduct therefrom the actual cost of the workman's funeral expenses to an amount not exceeding fifty rupees and pay the same to the person by whom such expenses were incurred, and shall, if he thinks necessary, cause notice to be published or to be served on each dependant in such manner as he thinks fit, calling upon the dependants to appear before him on such date as he may fix for determining the distribution of the compensation. If the Commissioner is satisfied after any inquiry which he may deem necessary, that no

dependant exists, he shall repay the balance of the money to the employer by whom it was paid. The Commissioner shall, on application by the employer, furnish a statement showing in detail all disbursements made.

(5) Compensation deposited in respect of a deceased workman shall, subject to any deduction made under sub-section (4), be apportioned among the dependants of the deceased workman or any of them in such proportion as the Commissioner thinks fit, or may, in the discretion of the Commissioner, be allotted to any one dependant.

(6) Where any compensation deposited with the Commissioner is payable to any person, the Commissioner shall, if the person to whom the compensation is payable is not a woman or a person under a legal disability, and may, in other cases, pay the money to the person entitled thereon.

(7) Where any lump sum deposited with the Commissioner is payable to a woman or a person under a legal disability, such sum may be invested, applied or otherwise dealt with for the benefit of the woman, or of such person during his disability, in such manner as the Commissioner may direct; and where a half-monthly payment is payable to any person under a legal disability, the Commissioner may, of his own motion or on an application made to him in this behalf, order that the payment be made during the disability to any dependant of the workman or to any other person, whom the Commissioner thinks best fitted to provide for the welfare of the workman.

(8) Where, on application made to him in this behalf or otherwise, the Commissioner is satisfied that, on account of neglect of children on the part of a parent or on account of the variation of the circumstances of any dependant or for any other sufficient cause, an order of the Commissioner as to the distribution of any sum paid as compensation or as to the manner in which any sum payable to any such dependent is to be invested, applied or otherwise dealt with, ought to be varied, the Commissioner may make such orders for the variation of the former orders as he thinks just in the circumstances of the case :

Provided that no such order prejudicial to any person shall be made unless such person has been given an opportunity of showing cause why the order should not be made, or shall be made in any case in which it would involve the repayment by a dependant of any sum already paid to him.

(9) Where the Commissioner varies any order under sub-section (8) by reason of the fact that payment of compensation to any person has been obtained by fraud impersonation or other improper means any amount so paid to or on behalf of such person may be recovered in the manner hereinafter provided in section 31.

6. *Deposit under section 8(1).*—(1) An employer depositing compensation with the Commissioner under sub-section (1) of section 8 in respect of a workman whose injury has resulted in death shall furnish therewith a statement in Form A, and shall be given a receipt in Form B. In other cases of deposits

with the Commissioner under sub-section (1) of section 8, the employer shall furnish a statement in form AA, and shall be given a receipt in Form B.

(2) If, when depositing compensation in respect of fatal accidents; the employer indicates in the statement referred to in sub-rule (1) that he desired to be made a party to the distribution proceedings, the Commissioner shall, before allotting the sum deposited as compensation, afford to the employer an opportunity of establishing that the person to whom he proposes to allot such sum is not a dependant of the deceased workman or, as the case may be, that no one of such persons is a dependant.

(3) The statements of disbursements to be furnished on application by the employer under sub-section (4) of section 8 shall be in Form C.

7. *Publication of lists of deposits.*—The Commissioner shall cause to be displayed in a prominent position outside his office an accurate list of the deposits received by him under sub-section (1) of section 8, together with the names and addresses of the depositors and of the workmen in respect of whose death or injury the deposits have been made.

8. *Application by dependants of deposits of compensation.*—  
(1) A dependant of a deceased workman may apply to the Commissioner for the issue of an order to deposit compensation in respect of death of the workman. Such application shall be made in Form G.

(2) If compensation has not been deposited, the Commissioner shall dispose of such application in accordance with the provisions of Part V of these rules :

Provided that:—

- (a) the Commissioner may, at any time, before issues are framed, cause notice to be given in such manner as he thinks fit to all or any of the dependants of the deceased workman who have not joined in the application, requiring them, if they desire to join therein, to appear before him on a date specified in this behalf;
- (b) any dependant to whom such notice has been given and who fails to appear and to join in the application on the date specified in the notice shall not be permitted thereafter to claim that the employee is liable to deposit compensation unless he satisfies the Commissioner that he was prevented by any sufficient cause from appearing when the case was called for hearing.

(3) If after completing the enquiry into the application, the Commissioner issues an order requiring the employer to deposit compensation in accordance with sub-section (1) of section 8, nothing in sub-rule (2) shall be deemed to prohibit the allotment of any part of the sum deposited as compensation to a dependant of the deceased workman who failed to join the application.

9. *Deposit under section 8(2).*—An employer depositing compensation in accordance with sub-section (2) of section 8, shall furnish therewith a statement in Form D., and shall be given a receipt in Form E.

10. *Investment of money.*—Money in the hands of Commissioner may be invested for the benefit of the dependants of deceased workman in Government securities or Post Office Cash Certificates, or may be deposited in a Post Office Savings Bank

### PART III

#### Reports of Accidents

##### Notes.

Section 10 B of the Act provides that, "Where, by any law for the time being in force, notice is required to be given to any authority by or on behalf of an employer, of any accident occurring on his premises which results in death, or serious bodily injury the person required to give the notice shall, within seven days of the death, send a report to Commissioner given the circumstances attending the death :

Provided that where the State Government has so prescribed the person required to give the notice may instead of sending such report to the Commissioner send it to the authority to whom he is required to the notice.

(2) The State Government may, by notification in the Official Gazette, extend the provisions of sub-section (2) to any class of premises other than those coming within the scope of that sub-section, and may, by such notification, specify the persons who shall send the report to the Commissioner.

(3) Nothing in this section shall apply to factories to which the Employees State Insurance Act, 1948 [34 of 1948], applies.

11. *Report of fatal accidents.*—The report required by section 10 B shall, subject of such rules, if any, as may be made by the State Government, be in Form EE.

12. *Right of employer to present memorandum when information received.*—(1). Any employer who has received information of an accident may, at any time, notwithstanding the fact that no claim for compensation has been instituted in respect of such accident present to the Commissioner a memorandum

supported by an affidavit made by himself or by any person sub-ordinate to him having knowledge of the facts stated in the memorandum, embodying the results of any investigation or inquiry which has been made into the circumstances or cause of accident.

(2) A Memorandum presented under sub-rule (1) shall, subject to the payment of such fee as may be prescribed, be recorded by the Commissioner.

## PART IV

### Medical Examination

#### Notes

The rules in this part have been framed on the authority of section 11 of the Act reading as under :—

11. Medical examination.—( 1 ) Where a workman has given notice of an accident, he shall, if the employer, before the expiry of three days from the time at which service of notice has been effected, offers to have him examined free of charge by a qualified medical practitioner submit himself for such examination, and any workman who is in receipt of a half-monthly payment under this Act shall, if so required, submit himself for such examination from time to time :

Provided that a workman shall not be required to submit himself for examination by a medical practitioner otherwise than in accordance with rules made under this Act, or at more frequent intervals than may be prescribed.

(2) If a workman, on being required to do so by the employer under sub-section (1) or by the Commissioner at any time, refuses to submit himself for examination by a qualified medical practitioner or in any way obstructs the same, his right to compensation shall be suspended during the continuance of such refusal or obstruction unless, in the case of refusal, he was prevented by any sufficient cause from so submitting himself.

(3) If a workman before the expiry of the period within which he is liable under sub-section (1) to be required to submit himself for medical examination, voluntarily leaves without having been so examined the vicinity of the place in which he was employed, his right to compensation shall be suspended until he returns and offers himself for such examination.

(4) Where a workman, whose right to compensation has been suspended under sub-section (2) or sub-section (3), dies without having submitted himself for medical examination as required by either of those sub-sections, the commissioner may, if he thinks fit, direct the payment of compensation to the dependants of the deceased workman.

(5) Where under sub-section (2) or sub-section (3) a right to compensation is suspended, no compensation shall be payable in respect of the

period of suspension, and, if the period of suspension commences before the expiry of the waiting period referred to in clause (d) of sub section (1) of section 4, the waiting period shall be increased by the period during which the suspension continues.

(6) where an injured workman has refused to be attended by a qualified medical practitioner whose services have been offered to him by the employer free of charge or having accepted such offer has deliberately disregarded the instructions of such medical practitioner then, if it is proved that the workman has not thereafter been regularly attended by a qualified medical practitioner or having been so attended has deliberately failed to follow his instructions and that such refusal disregard or failure was unreasonable in the circumstances of the case and that the injury has been aggravated thereby, the injury and resulting disablement shall be deemed to be of the same nature and duration as they might reasonably have been expected to be if the workman had been regularly attended by a qualified medical practitioner, whose instructions he had followed, and compensation if any, shall be payable accordingly.

13. *Workman not be required to submit to medical examination save in accordance with rules.*—A workman who is required by sub-section (1) of section 11 to submit himself for medical examination shall be bound to do so in accordance with the rules contained in this Part and not otherwise.

14. *Examination when workman and medical practitioner both on premises*—When such workman is present at the employer's premises; and the employer offers to have him examined free of charge by a qualified medical practitioner who is so present, the workman shall submit himself for examination forthwith.

15. *Examination in other cases.*—In cases to which rule 14 does not apply the employer may—

- (a) send the medical practitioner to the place where the workman is residing for the time being in which case the workman shall submit himself for medical examination on being requested to do so by the Medical Practitioner, or
- (b) send to the workman an offer in writing to have him examined free of charge by a qualified medical practitioner in which case the workman shall submit himself for medical examination at the employer's premises or at such other place in the vicinity as is specified in such offer and at such time as is so specified:

Provided that—

- (i) the time so specified shall not, save with the express consent of the workman, be between the hours of 7 p. m. and 6 a. m. and

- (ii) in cases where the workman's condition renders it impossible or inadvisable that he should leave the place where he is residing for the time being, he shall not be required to submit himself for medical examination save at such place.

16. *Restriction on number of examinations.*—A workman who is in respect of a half-monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being more than twice in the first month following the accident, or more than once in any subsequent month.

17. *Examination after suspension of right to compensation.*—If a workman whose right to compensation has been suspended under sub-section (2) or sub-section (3) of section 11 subsequently offers himself for medical examination, his examination shall take place on the employer's premises or at such other place in the vicinity as may be fixed by the employer, and at a time to be fixed by the employer not being, save with the express consent of the workman more than 72 hours after the workman has so offered himself.

18. *Examination of woman.*—(1) No woman shall without her consent be medically examined by a male practitioner, save in the presence of another woman.

(2) No woman shall be required to be medically examined by a male practitioner if she deposits a sum sufficient to cover the expenses of examination by a female practitioner.

## PART V

### Procedure

#### Notes

Sub-section (1) of section 19 of the Act provides that "(1) If any question arises in any proceedings under this Act as to the liability of any person to pay compensation (including any question as to whether a person injured is or is not a workman) or as to the amount or duration of compensation (including any question as to the nature or extent of disablement), the question shall, in default of agreement, be settled by a Commissioner ]".

Rules in this part prescribe the procedure according to which the commissioner is required to settle the questions referred to in sub-section (1) of section 19.

19. *Introductory.*—save as otherwise provided in these Rules, the procedure to be followed by Commissioners in the disposal of cases under the Act or these rules and by the parties in such cases shall be regulated in accordance with rules contained in this Part.



20. *Applications*.—(1) Any application of the nature referred to in section 22 may be sent to the Commissioner by registered post or may be presented to him or to and of his subordinate authorised by him in this behalf and, if so sent or presented, shall, unless the Commissioner otherwise directs, be made in duplicate in the appropriate Form, if any, and shall be signed by the applicant.

(2) There shall be appended to every such application a certificate, which shall be signed by the applicant, to the effect that the statement of facts contained in the application is to the best of his knowledge and belief accurate.

### *Notes*

The form and particulars of applications for a settlement of any matter by Commissioner are contained in section 22 of the Act which reads as under:—

22. *Form of Application*.—(1) No application for the settlement of any matter by a Commissioner, other than an application by a dependant or dependants for compensation, shall be made unless and until some question has arisen between the parties in connection therewith which they have been unable to settle by agreement.

(2) An application to a commissioner may be made in such form and shall be accompanied by such fee, if any, as may be prescribed, and shall contain, in addition to any particulars which may be prescribed, the following particulars, namely:

(a) a concise statement of the circumstances in which the application is made and the relief or order which the applicant claims ;

(b) in the case of a claim for compensation against an employer, the date of service of notice of the accident on the employer and, if such notice has not been served or has not been served in due time, the reason for such omission ;

(c) the names and addresses of the parties, and

(d) [except in the case of an application by dependants for compensation] a concise statement of the matters on which agreement has and (of) those on which agreement has not been come to.

(3) If the applicant is illiterate or for any other reason is unable to furnish the required information in writing, the application shall, if the applicant so desires, be prepared under the direction of the Commissioner.

21. *Production of documents* —(1) When the application for relief is based upon a document, the document shall be appended to the application,

(2) Any other document which any party desires to tender in evidence shall be produced at or before the first hearing.

(3) Any document which is not produced at or within the time specified in sub-rule (1) or (2) as the case may be, shall not, without the sanction of the Commissioner, be admissible in evidence on behalf of the party who should have produced it.

(4) Nothing in this rules applies to any document which is produced for the purpose of cross-examining a witness or is handed to a witness to refresh his memory.

**22. Application presented to wrong Commissioner.**—(1) If it appears to the Commissioner on receiving the application that it should be presented to another Commissioner, he shall return it to the applicant after endorsing upon it the date of the presentation and return, the reason for returning it and the designation of the Commissioner to whom it should be presented.

(2) If it appears the Commissioner at any subsequent stage that an application should have presented to another Commissioner, he shall send the application to the Commissioner empowered to deal with it and shall inform the applicant ( and the opposite party, if he has received a copy of the application under rule 26), accordingly.

(3) The Commissioner to whom an application is transferred under sub-rule (2) may continue the proceedings as if the previous proceedings or any part of them had been taken before him, if he is satisfied that the interests of the parties will not, thereby be prejudiced,

**23. Examination of applicants.**—(1) On receiving an application of the nature referred to in section 22, the Commissioner may examine the applicant on oath, or may send the application to any officer authorised by the State Government in this and his witness and forward the records thereof to the Commissioner.

(2) The substance of any examination made under sub-rule (1) shall be recorded in the manner provided for the recording of evidence in section 25.

### *Notes.*

Section 25 of the Act providing for method of recording evidence provides that "The Commissioner shall make a brief memorandum of the substance of the evidence of every witness as the examination of the witness proceeds, and such memorandum shall be written and signed by the Commissioner with his own hand and shall form part of the record :

Provided that, if the Commissioner is prevented from making such memorandum, he shall record the reason of his inability to do so and shall cause such memorandum to be made in writing from his dictation and shall sign the same, and such memorandum shall form part of the record :

Provided further that the evidence of any medical witness shall be taken down as nearly as may be word for word.

24. *Summary dismissal of application.*—(1) The Commissioner may, after considering the application and the result of any examination of the applicant under rule 23, summarily dismiss the application if, for reasons to be recorded, he is of opinion that there are no sufficient grounds for proceedings thereon.

25. *Preliminary inquiry into application.*—If the application is not dismissed under rule 24, the Commissioner, may, for reasons to be recorded, call upon the applicant to produce evidence in support of the application before calling upon any other party and if upon considering such evidence the Commissioner is of opinion that there is no case for the relief claimed, he may dismiss the application with a brief statement of his reasons for so doing.

26. *Notice to Opposite Party.*—If the Commissioner does not dismiss the application under rule 24 or rule 25, he shall send to the party from whom the applicant claims relief (hereinafter referred to as the opposite party) a copy of the application, together with a notice of the date on which he will dispose of the application, and may call upon the parties to produce upon that date and evidence which they may wish to tender.

27. *Appearance and Examinations of opposite parties.*—The opposite party may, and if so required by the Commissioner, shall at or before the first hearing or within such time as the Commissioner may permit, file a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record.

(2) If the opposite party contests the claim, the Commissioner may, and, if no written statement has been filed, shall proceed to examine him upon the claim, and shall reduce the result of examination to writing.

28. *Framing of issues.*—(1) After considering any written statement and the result of any examination of the parties, the Commissioner shall ascertain upon what material propositions of fact or of law the parties are at variance and shall thereupon proceed to frame and record the issues upon which the right decision of the case appears to him to depend.

(2) In recording the issues, the Commissioner shall distinguish between those issues which in his opinion concern points of fact and those which concern points of law.

29. *Power to postpone trial of issues of fact where issues of law arise.*—When issues both of law and of fact arise in the same case, and the Commissioner is of opinion that the case may be disposed of on the issues of law only, he may try those

issues first, and for that purpose may, if he thinks fit, postpone the settlement of the issues of fact until after the issues of law have been determined.

30. *Diary*.—The Commissioner shall maintain under his hand a brief diary of the proceedings on an application.

31. *Reasons for postponement to be recorded*.—If the Commissioner finds it impossible to dispose of an application at one hearing he shall record the reasons which necessitates a postponement.

32. *Judgement*.—(1) The Commissioner, in passing orders, shall record concisely in a judgement, his finding on each of the issues framed and his reasons for such findings.

(2) The Commissioner, at the time of signing and dating his judgement, shall pronounce his decision and thereafter no addition or alteration shall be made to the judgement other than the correction of a clerical or arthmetical mistake arising from any accidental slip or omission.

33. *Summoning of witnesses*.—If an application is presented by any party to the proceedings for the citation of witnesses, the Commissioner shall on payment of the prescribed expenses and fees, issue summonses for the appearance of such witnesses, unless he considers that their appearance is not necessary for the just decision of the case.

34. *Exemptions from payment of costs*—If the Commissioner is satisfied that the applicant is unable, by reason of poverty, to pay the prescribed fees, he may remit any or all such fees. If the case is decided in favour of the applicant, the prescribed fees which, had they not been remitted, would have been due to be paid, may be added to the costs of the case and recovered in such manner as the Commissioner in his order regarding costs may direct.

### *Notes.*

Section 26 of the Act provides that, "All costs, incidental to any proceedings before a Commissioner, shall subject to rules made under this Act, be in the direction of the Commissioner.

35. *Right of entry for local inspection*.—A Commissioner before whom any proceedings relating to an injury by accident is pending may at any time enter the place where the workman was injured, or where the workman ordinarily performed his work, for the purpose of making a local inspection or of examining any person likely to be able to give information relevant to the proceedings :

Provided that the Commissioner shall not enter any premises of any industrial establishment except during the ordinary

working hours of that establishment, save with the permission of the employer or of some person directly responsible to him for the management of the establishment.

36. *Procedure in connection with local inspection.*—(1) If the Commissioner proposes to conduct a local inspection with a view to examining on the spot the circumstances in which an accident took place, he shall give the parties or their representatives notice of his intention to conduct such inspection, unless in his opinion the urgency of the case renders the giving of such notice impracticable.

(2) Such notice may be given orally or in writing, and in the case of an employer, may be given to any person upon whom notice of a claim can be served under sub-section (2) of section 10, or to the representative of any such person.

(3) Any party, or the representative of any party may accompany the Commissioner at a local inspection.

(4) The Commissioner, after making a local inspection shall note briefly in a memorandum any fact observed, and shall show the memorandum to any party who desires to see the same, and, on payment of the prescribed fee, shall supply any party with a copy thereof,

(5) The memorandum shall form part of the record.

37. *Power of summary examination.*—(1) The Commissioner during a local inspection or at any other time, save at a formal hearing of a case pending before him, may examine summarily and person likely to be able to give information relative to such case whether such person has been or is to be called as a witness in the case, or not, and whether any or all of the parties are present or not.

(2) No oath shall be administered to a person examined under sub-rule (1).

(3) Statements made by person examined under sub-rule (1), if reduced to writing, shall not be signed by the person making the statement, nor shall they, except, as hereinafter provided, be incorporated in the record or utilized by the Commissioner for the purpose of arriving at a decision in the case.

(4) If a witness who has been examined under sub-rule (1) makes in evidence any material statement contradicting any statement made by him in such examination and reduced to writing the Commissioner may call his attention to such statement, and shall in the case direct that the parties be furnished with the relevant part of such statement for the purpose of examining or cross examining the witness.

(5) Any statement or part of a statement which is furnished to the parties under sub-rule (4) shall be incorporated in the record.

(6) Where a case is settled by agreement between the parties the Commissioner, may incorporate in the record any statement made under sub-rule (1) and may utilise such statement for the purpose of justifying his acceptance of, or refusal to accept, the agreement reached.

38. *Agreement to abide by Commissioner's decision.*—If a party states in writing his willingness to abide by the decision of the Commissioner the Commissioner shall inquire whether the other party is willing to abide by his decision.

(2) If the other party agrees to abide by the Commissioner's decision, the fact of his agreement shall be recorded in writing and signed by him.

(3) If the other party does not agree to abide by the Commissioner's decision, the first party shall not remain under an obligation, so to abide.

39. *Procedure where indemnity claimed under section 12 (2).*—Where the opposite party claims that compensation is recovered against him he will be entitled under sub-section (2) of section 12 to be indemnified by a person not being a party to the case, he shall when first called upon to answer the application, present a notice of such claim to the Commissioner accompanied by the prescribed fee, and the Commissioner shall thereupon issue notice to such person in Form J.

(2) If any person served with a notice under sub-rule (1) desires to contest the applicant's claim for compensation or the opposite party's claim to be indemnified, he shall appear before the Commissioner on the date fixed for the hearing of the case or on any date to which the case may be adjourned and, if he so appears, shall have all the rights of a party to the proceedings in default of so appearing he shall be deemed to admit the validity of any award made against the opposite party, and to admit his own liability to, indemnify the opposite party for any compensation recovered from him :

Provided that, if any person so served appears subsequently and satisfied the Commissioner that he was prevented by any sufficient cause from appearing, the Commissioner, shall, after giving notice to the aforesaid opposite party; hear such person, and may set aside or vary any award made against such person under this rule upon such terms as may be just.

(3) If any person served with a notice under sub-rule (1) whether or not he desires to contest the applicant's claim for

compensation or the opposite party's claim to be indemnified, claims that being a contractor he is himself a principal and is entitled to be indemnified by a person standing to him in the relation of a contractor from whom the workman could have recovered compensation, he shall on or before the date fixed in the notice under sub-rule (1) present a notice of such claim to the Commissioner accompanied by the prescribed fee and the Commissioner shall thereupon issue notice to such person in form JJ.

(4) If any person served with a notice under sub-rule (3) desires to contest the applicant's claim for compensation, or the claim under sub-rule (3) to be indemnified, he shall appear before the Commissioner on the date fixed in the notice in form JJ or on any date to which the case may be adjourned and, if he so appear, shall have all the rights of a party to the proceedings, in default of so appearing he shall be deemed to admit the validity of any award made against the original opposite party or the person served with a notice under sub-rule (1) and to admit his own liability to indemnify the party against whom such award is made for any compensation recovered from him :

Provided that, if any person so served appears subsequently and satisfies the Commissioner that he was prevented by any sufficient cause from appearing, the Commissioner shall, after giving notice to all parties on the record hear such person, and may set aside or vary and award made against such person under this rule upon such terms as may be just.

(5) In any proceeding in which a notice has been served on any person under sub-rule (1) or sub-rule (3) the Commissioner shall, if he awards compensation, record in his judgement a finding in respect of each of such persons whether he is or is not liable to indemnify any of the opposite parties, and shall specify the party if any, whom he is liable to indemnify.

40. *Procedure in connected cases.*—(1) Where two or more cases pending before a Commissioner arise out of the same accident, and any issue involved is common to two or more such cases, such cases, may, so far as the evidence bearing on such issue is concerned be heard simultaneously.

(2) Where action is taken under sub-rule (1) the evidence bearing on the common issue or issues shall be recorded on the record of one case, and the Commissioner shall certify under his hand on the records of any such other case, the extent to which the evidence so recorded applies to such other case, the fact that the parties to such other case had the opportunity of being present, and if they were present, of cross-examining the witnesses.

41. *Certain provisions of Code of Civil Procedure, 1908 to apply.*—Save as otherwise expressly provided in the Act or these rules, the following provisions of the First Schedule to the Code of Civil Procedure, 1908, namely, those contained in Order V, rules 9 to 13 & 15 to 30; Order IX; Order XIII, rules 3 to 10, Order XVI, rules 2 to 21; Order XVII; or Order XXIII, rules 1 and 2, shall apply to proceedings before Commissioners, in so far as they may be applicable thereto :

Provided that—

(a) for the purpose of facilitating the application of the said provisions the Commissioner may construct them with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before him;

(b) the Commissioner may, for sufficient reason, proceed otherwise than in accordance with the said provisions, if he is satisfied that the interests of the parties will not thereby be prejudiced.

### Notes

Section 23 of the Act reading as under provides for the powers and procedure before Commissioner:—

23. *Powers and Procedure of Commissioners.*—The Commissioner shall have all the powers of a Civil Court under the Code of Civil Procedure, 1908 for the purpose of taking evidence on oath (which such Commissioners is hereby empowered to impose) and of enforcing the attendance of witnesses and compelling the production of documents and material objects, the Commissioner shall be deemed to be a Civil Court for all the purpose of section 195 and of Chapter XXXV of the Code of Criminal Procedure, 1898.

42. *Provision regarding signature of forms.*—Any form, other than a receipt for compensations which is by these rules required to be signed by a Commissioner, may be signed under his direction and on his behalf by any officer subordinate to him appointed by him in writing for his purpose.

43. *Apportionment of compensation among dependants.*—The provisions of this part, except those contained in rules 26, 27 & 39 shall, as far as may be, apply in the case of any proceedings relating to the apportionment of compensation among dependants of a deceased workman.

## PART VI

### Transfer

### Notes

Rules in this part have been framed on the authority of section 21 of the Act which reads as under:—



21. **Venue of proceedings and transfer.**—(1) Where any matter is under this Act to be done by or before a Commissioner, the same shall, subject to the provisions of this Act and to any rules made hereunder, be done by or before a Commissioner, for the local area in which the accident took place which resulted in the injury :

Provided that, where the workman is the master of a ship or a seaman any such matter may be done by or before a Commissioner for the local area in which the owner agent of the ship resides or carries on business.

(2) If a Commissioner is satisfied that any matter arising out of any proceedings pending before him can be more conveniently dealt with by any other Commissioner, whether in the same State or not, he may, subject to rules made under this Act, order such matter to be transferred to such other Commissioner either for report or for disposal, and, if he does so, shall forthwith transmit to such other Commissioner all documents relevant for the decision of such matter and, where the matter is transferred for disposal, shall also transmit in the prescribed manner any money remaining in his hands or invested by him for the benefit of any party to the proceedings :

Provided that the Commissioner shall not, where any party to the proceedings has appeared before him, make any order of transfer relating to the distribution among dependants of a lump sum without giving such party an opportunity of being heard;

Provided further, that no matter other than a matter relating to the actual payment to a workman or the distribution among dependants of a lump sum shall be transferred for disposal under this sub-section to a Commissioner in the same State save with the previous sanction of the State Government or to a Commissioner in another State save with the previous sanction of the State Government of that State, unless all the parties to the proceedings agree to the transfer.

(3) The Commissioner to whom any matter is so transferred shall, subject to rules made under this Act, inquire therein and, if the matter was transferred for report, return his report thereon, or if the matter was transferred for disposal, continue the proceedings as if they had originally commenced before him.

(4) On receipt of a report from a Commissioner to whom any matter has been transferred for report under sub-section (2), the Commissioner by whom it was referred shall decide the matter referred in conformity with such report.

(5) The State Government may transfer any matter from any Commissioner appointed by it to any other Commissioner appointed by it.

44. **Transfer for Report** —(1) A Commissioner transferring any matter to another Commissioner for report in accordance with sub-section (2) of section 21 shall, along with the documents referred to in that sub-section transmit to such other

Commissioner a concise statement in the form of questions for answer, of the matter on which report is required.

(2) A Commissioner to whom case is so transferred for report shall not be required to report on any question of law.

45. *Transmission of Money.*—Money transmitted by one Commissioner to another in accordance with sub-section (2) of section 21 shall be transmitted either by remittance transfer receipt, or by money order, or by messenger, as the Commissioner transmitting the money may direct.

## PART VII

### Appointment of Representatives

#### *Notes.*

Rules in this part have been framed in respect of the matters referred to in section 24 of the Act which reads as under:—

24. *Appearance of parties.*—Any appearance, application or act required to be made or done by any person before or to a Commissioner (other than an appearance of a party which is required for the purpose of his examination as a witness) may be made or done on behalf of such person by a legal practitioner or by an official of an Insurance Company or a registered Trade Union or by an inspector appointed under sub-section (1) of section 8 of the Factories Act, 1948 (63 of 1948), or under sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), or by any other officer specified by the State Government in this behalf authorised in writing by such person or, with the permission of the Commissioner, by any other person so authorised.

46. *When representative must be appointed.*—Where any party to a proceeding is under the age of 15 years or is unable to make an appearance, the Commissioner shall appoint some suitable person who consents to the appointment to represent such party for the purpose of the proceeding.

47. *When new representative to be appointed.*—If the Commissioner considers that the interests of any party for whom a representative has been appointed under rule 46 are not being adequately protected by that representative or if a person appointed to act as representative or if a person appointed to act as representative dies or becomes incapable of acting, or otherwise ceases to act as such, the Commissioner shall appoint in his place another person who consents to the appointment.

## PART VIII

### Record of Memoranda of Agreement

#### *Notes.*

The rules in this part deal with the matters referred to in section 28 of the Act which reads as under:—

28. Registration of agreements.—(1) Where the amount of any lump sum payable as compensation has been settled by an agreement, whether by way of redemption of a half-monthly payment or otherwise, or where any compensation has been so settled as being payable to a woman or a person under a legal disability a memorandum thereof shall be sent by the employer to the Commissioner, who shall, on being satisfied as to its genuineness, record the memorandum in a register in the prescribed manner:

Provided that—

- (a) no such memorandum shall be recorded before seven days after communication by the Commissioner of notice to the parties concerned;
- (c) the Commissioner may at any time rectify the register;
- (d) where it appears to the Commissioner that an agreement as to the payment of a lump sum whether by way of redemption of a half-monthly payment or otherwise, or an agreement as to the amount of compensation payable to a woman or a person under a legal disability ought not to be registered by reason of the inadequacy of the sum or amount, or by reason of the agreement having been obtained by fraud or undue influence or other improper means, he may refuse to record the memorandum of the agreement and may make such order including an order as to any sum already paid under the agreement, as he thinks just in the circumstances.

(2) An agreement for the payment of compensation which has been registered under sub-section (1) shall be enforceable under this Act notwithstanding anything contained in the Indian Contract Act, 1872 or any other law for the time being in force,

48. *Form of Memorandum.*—Memoranda of agreement sent to the Commissioner under sub-section (1) of section 28 shall unless the Commissioner otherwise directs, be in duplicate, and shall be in as close conformity as the circumstances of the case admit with Form X or Form L or Form M as the case may be.

49.—*Procedure where Commissioner does not consider that he should refuse to record memorandum.*—(1) On receiving a memorandum of agreement, the Commissioner shall, unless he considers that there are grounds for refusing to record the memorandum, fix a date for recording the same, and shall issue a notice in writing in Form N to the parties concerned that in default of objections he proposes to record the memorandum on the date so fixed:

Provided that the notice may be communicated orally to any party who are present at the time when notice in writing would otherwise issue.

(2) On the date so fixed, the Commissioner shall record the memorandum unless, after hearing any of the parties who app-

ear and desire to be heard, he considers that it ought not to be recorded:

Provided that the issue of a notice under sub-rule (1) shall not be deemed to prevent the Commissioner from refusing to record the memorandum on the date so fixed even if no objection be made by any party concerned.

(3) If on such date the Commissioner decides that the memorandum ought not to be recorded, he shall inform the parties present of his decision and of the reasons therefor, and, if any party desiring the memorandum to be recorded is not present, he shall send information to that party in Form O.

50. *Procedure where Commissioner considers he should refuse to record memorandum*—(1) If, on receiving a memorandum of agreement, the Commissioner considers that there are grounds for refusing to record the same, he shall fix a date for hearing the party or parties desiring the memorandum to be recorded, and shall inform such party or parties and, if he thinks fit, any other party concerned, of the date so fixed and of the grounds on which he considers that the memorandum should not be recorded.

(2) If the parties to be informed are not present a written notice, shall be sent to them in Form Q as the case may be, and the date fixed in such notice shall be not less than seven days after the date of issue of the same.

(3) If on the date fixed under sub-rule (1) the party or parties desiring the memorandum to be recorded show adequate cause for proceeding to the record of the same, the Commissioner may, if information has already been given to all parties concerned, record the agreement. If information has not been given to all such parties, he shall proceed in accordance with rule 49.

(4) If on the date so fixed, the Commissioner refuses to record the memorandum, he shall send notice in Form O to any party who did not receive information under sub-rule (1)

51. *Procedure on refusal to record memorandum*.—(1) If in any case Commissioner refuses to record the memorandum of agreement, he shall briefly record his reasons for such refusal.

(2) If the Commissioner refuses to record a memorandum of agreement, he shall not pass any order directing the payment of any sum or amount over and above the sum specified in the agreement, unless opportunity has been given to the party liable to pay such sum to show cause why it should not be paid.

(3) Where the agreement is for the redemption of half-monthly payments by the payment of a lump sum and the Commissioner considers that the memorandum of agreement should not be recorded by reason of the inadequacy of the amount of such sum as fixed in the agreement, he shall record his estimate of the probable duration of the disablement of the workman.

**52. Registration of memorandum accepted for record.**—In recording a memorandum of agreement, the Commissioner shall cause the same to be entered in a register in Form R and shall cause an endorsement to be entered under his signature on a copy of the memorandum to be retained by him in the following terms, namely:—

This memorandum of agreement bearing Serial No. in the Register has been recorded this day of—

(Signature) Commissioner

FORM 'A'

[ See rule 6 (1) ]

[ Section 8 (1) of the Workmen's Compensation Act, 1923 ]

Compensation amounting to Rs. ... is hereby presented for deposit in respect of injuries resulting in death of the workman whose particulars are given below, which occurred on.....

Name.....

Father's name .. .. .

( Husband's name in case of married woman and widow ).

Cast .. .. .

Local Address .. .. .

Permanent Address.....

His/her monthly wages are estimated at Rs .....he/she was over/under the age of 15 year at the time of his/her death.

2. The said workman had, prior to the date of his/her death received the following payments, namely:—

Rs....on..... Rs.....on.....

Rs .....on..... Rs .....on.....

Rs.....on..... Rs .....on.....

amounting in all to Rs....

3. An advance of Rs.....has been made on account of compensation to ..... being his/her dependant.

4. \*I do not desire to be made a party to the proceedings for distribution of the aforesaid compensation.

Dated..... 19

.....

Employer

\*An employer desiring to be made a party to the proceedings should strike out the words "do not":

## FORM 'AA'

[ See Rule 6 (1) ]

Deposit of compensation for non-fatal accident to a woman or person under legal disability.

[ Section 8 (1) of the Workmen's Compensation Act, 1923 ]

Compensation amount to Rs..... is hereby presented for deposit in respect of injuries sustained by .....residing at..... on.....19 , resulting in the loss of temporary disablement. His/Her monthly wages are estimated at Rs.... He/She was over/under the age of 15 years at the time of the accident.

2. The said injured workman has prior to the date of the deposit received the following half-monthly payments, namely:-

Rs .....on ..... Rs .....—on—.....  
 Rs .....on..... Rs .....on.....  
 Rs .....on..... Rs .....on.....  
 Dated.....19....

.....  
 ( Employer )

## FORM B

(See Rule 6)

## Receipt for Compensation

(Deposited under section 8 (1) of the Workmen's Compensation Act, 1923).

Book No.....Receipt No.....Register No.....  
 Depositor .....  
 Deceased or injured workman .....  
 Date of Deposit.....19.....  
 Sum deposited Rs .. ..

.....  
 Commissioner.

## FORM C

( See rule 6 )

## Statement of Disbursements

Section 8 (4) of the Workmen's Compensation Act, 1923)

Serial No.....

Depositor..... Rs.....

Date.....

Amount deposited.....

Amount deducted and repaid to the employer under the proviso to section 8 (1).

Funeral expenses paid.....

Compensation paid to the following dependants:—

Name

Relationship

Total

Date.....19....

.....  
Commissioner

### FORM D

[ See rule 9 ]

Deposit of Compensation for Non-fatal Accidents, other than to a woman or person under legal disability.

[ Section 8 (2) of the Workmen's Compensation Act, 1923 ]

Compensation amounting to Rs.....is hereby presented for deposit in respect of permanent/temporary injuries sustained by.....residing at.....which occurred on ..... 19 ..

Dated ..... 19....

.....  
Employer

### FORM E

(See Rule 9)

Receipt for Compensation

Deposited under section 8 (2) of the Workmen's Compensation Act, 1923.

Book No.

Receipt No.

Register No.

Depositor .. .. .

in favour of.....

Date of deposit.... 19 ..

Sum deposited Rs.....

.....  
Commissioner

### FORM EE

(See rule 11)

Report of Fatal Accidents.

To

.....  
Sir,

I have the honour to submit the following report of an accident occurred on..... (Date) at..... (here enter details of premises) .....and which resulted in the

death of the workman/workmen of whom particulars are given in the statement annexed.

2. The circumstances attending the death of the workman/workmen were as under:—

- (a) Time of the accident;
- (b) Place where the accident occurred.
- (c) Manner in which deceased was/were employed at the time;
- (d) Cause of the accident;
- (e) Any other relevant particulars;

and I have etc.

Signature & Designation of person  
making the report.

### STATEMENT

Name	Sex	Age	Nature of employment	Full postal address
------	-----	-----	----------------------	---------------------

### FORM F

(See rule 20)

Application for Compensation by workman  
To the Commissioner for Workmen's Compensation

residing at.....Applicant

Versus

residing at.....Opposite Party

It is hereby submitted that:—

(1) The applicant, a workman employed by (a contractor with) the opposite party on the... day of ... 19... received personal injury by accident arising out of and in the course of his employment.

The cause of the injury was (here insert briefly in ordinary language the cause of the injury)

(2) The applicant sustained the following injuries, namely—

(3) The monthly wages of the applicant amount to Rs..... the applicant is over/under the age of 15 years.

(4) (a) Notice of the accident was served on the



(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served (in due time) by reason of.....

(5) The applicant is accordingly entitled to receive:—

(a) Half-monthly payments of Rs .....from the  
... day of ... 19 to... ..

(b) a lump sum payment of Rs.....

(6) The applicant has taken the following steps to secure a settlement by agreement, namely....

\*Strike out the clauses which are not applicable.

But it has proved impossible to settle the questions in dispute because .....

\*You are, therefore, requested to determine the following questions in dispute, namely:—

(a) Whether the applicant is a workman within the meaning of the Act;

(b) Whether the accident arose out of or in the course of the applicant's employment;

(c) Whether the amount of compensation claimed is due, or any other part of that amount;

(d) Whether the opposite party is liable to pay such compensation as is due;

Dated..... 19 .

Applicant.

\*Strike out the clauses which are not applicable.

## FORM G

(See Rule 20)

Application for Order to Deposit Compensation.

To the Commissioner for Workmen's Compensation.

... .. residing at  
... .. applicant.

Versus

... .. residing at  
... .. opposite party.

It is hereby submitted that:—

(1) ..... a workman employed by (a contractor with) the opposite party on the ... day of and ...  
... 19... received personal injury by accident arising out of and in the course of his employment

resulting in his death on the ... day of ... 19 . The cause of the injury was (here insert briefly in ordinary language the cause of the injury) ...

(2) The applicant(s) is a/are dependant(s) of the deceased workman being his ...

(3) The monthly wages of the deceased amounts to Rs .. The deceased was over/under the age of 15 years at the time of his death.

\*(4) (a) Notice of the accident was served on the ... day of ...

(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served on the (in due time) by reason of...

(5) The deceased before his death received as compensation the total sum of Rs... ..

The applicant(s) is/are accordingly entitled to receive a Lump sum payment of Rs.....

You are, therefore, requested to award to the applicant the said compensation or any other compensation to which he may be entitled.

dated..... 19 .

.....  
Applicant

\*Strike out the clauses which are not applicable.

## FORM H

(See Rule 20)

### Application for Commutation

(Under section 7 of Workmen's Compensation Act, 1923)

To the Commissioner for Workmen's Compensation.

... ..residing at  
... applicant.

Versus

... ..residing at  
... ..  
... opposite party.

It is hereby submitted that:—

(1) The applicant/opposite party has been in receipt on half-monthly payments from ..... to ..... in respect of temporary disablement by accident arising out of and in the course of his employment.

(2) The applicant is desirous that the right to receive half-monthly payments should be redeemed.

(3) (a) The opposite party is unwilling to agree to the redemption of the right to receive half-monthly payments.

(b) The parties have been unable to agree regularly the sum for which the right to receive half-monthly payments should be redeemed.

You are, therefore, requested to pass orders:—

(a) Directing that the right to receive half-monthly payments should be redeemed.

(b) Fixing a sum for the redemption of the right to receive half-monthly payments.

Dated.....19 .

.....

Applicant.

FORM J

(See Rule 39)

NOTICE

Whereas a claim for compensation has been made by ..... applicant, against ... ..and, the said.... ..has claimed that you are liable under section 12(2) of the Workmen's Compensation Act, 1923, to indemnify him against any compensation which he may be liable to pay in respect of the aforesaid claim, you are hereby informed that you may appear before me on .....and contest the claim for compensation made by the said applicant or the claim for indemnity made by the opposite party. In default of your appearance you will be deemed to admit the validity of any award made against the opposite party and your liability to indemnify the opposite for any compensation recovered from him.

Dated.... ....19 .

.... ..  
Commissioner.

FORM JJ

(See Rule 39)

NOTICE

Whereas a claim for compensation has been made by..... applicant, against.... ..and the said.... ..has claimed that .. ..is liable under section 12(2) of the Workmen's Compensation Act, to indemnify him against any compensation which he may be liable to pay in respect of the aforesaid claim, and whereas the said.... ..on notice served has claimed that you.... ..stand to him in the relation to a contractor from whom the applicant.... ..

could have recovered compensation you are hereby informed that you may appear before me on.... and contest the claim for compensation made by the said applicant or the claim for indemnify made by the opposite party .. In default of your appearance you will be deemed to admit the validity of any award made against the opposite party.... and your liability to indemnify the opposite party.... for any compensation recovered from him.

Dated.... 19 ..

Commissioner.

### FORM K

(See Rule 48)

#### Memorandum of Agreement

It is hereby submitted that on the.... day of 19 personal injury was caused to.... residing at.... by accident arising out of and in the course of employment in.... The said injury has resulted in temporary disablement to the said workman whereby it is estimated that he will be prevented from earning more than of his previous/any wages for a period .... month. The said workman has been in receipt of half-monthly payments which have continued for the .... day of.... 19 , until Rs .... in all. The workman is over the age of 15 years will reach the age of 15 years on....

It is further submitted that.... the employer or the said workman, has agreed to pay, and the said workman has agreed to accept the sum of Rs.... in full settlement of all and every claim under the Workmen's Compensation Act, 1923, in respect of all disablements of a temporary nature arising out of the said accident, whether now or hereafter to become manifest. It is, therefore, requested that this memorandum be duly recorded.

Dated.... 19 ..

Signature of Employer....

Witness ....

Signature of workman ....

Witness....

(NOTE.—An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended whenever possible).—

Receipt to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of Rs....  
Dated.... 19 ..

Workman  
The money has been paid and this receipt signed in my presence.

Witness

NOTE:—This form may be varied to suit special cases e.g., injury by occupational disease, agreement when workman is under legal disability, etc.

### FORM L

(See Rule 48)

#### Memorandum of Agreement

It is hereby submitted that on the.... day of, ....19 personal injury was caused to ... residing at.... by accident arising out of and in the course of his employment in .... The said injury resulted in permanent disablement to the said workmen of the following nature, namely:—

The said workmen's monthly wages are estimated at Rs. . The workman is over the age of 15 years/will reach the age of 15 years on .... The said workman has, prior to the date of this agreement, received the following payments, namely:—

Rs ..	...on....	...	Rs ...	...on....	...
Rs....	on .	....	Rs ..	...on ..	....
Rs ..	...on....	....	Rs....	...on....	....
Rs'	... on....	..	Rs....	on ...	....

It is further submitted that.... the employer of the said workman, has agreed to pay, and the said workman has agreed to accept the sum of Rs .. in full settlement of all and every claim under the Workmen's Compensation Act, 1923 in respect of the disablement stated above and all disablement now manifest. It is, therefore, requested that this memorandum be duly recorded.

Date ... 19 .  
Signature of the employer ...  
Witness ....  
Signature of Workman....  
Witness ....

NOTE:—An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of Rs .....

Dated.... 19 . Workman .....

The money has been paid and this receipt signed in my presence.

NOTE:—This form may be varied to suit special cases, e.g. injury by occupational disease, agreement when workman is under legal disability, etc.

### FORM M

(See Rule 48)

#### Memorandum of Agreement

It is hereby submitted that on the ... day of ... 19 , personal injury was caused to .. residing at ... by accident arising out of and in the course of employment in ... The said injury has resulted in temporary disablement to the said workman, who is at present in receipt wages amounting to Rs.... per month/no wages. The said workman's monthly wages prior to the accident are estimated at Rs ... The workman is subject to a legal disability by reasons of ..

It is further submitted that... the employer of the workman has agreed to pay and ... on behalf of the said workman has agreed to accept half-monthly payments at the rate of Rs..... for the period of the said temporary disablement. This agreement is subject to the condition that the amount of the half-monthly payments may be varied in accordance with the provisions of the Workmen's Compensation Act, 1923, on account of an alteration in the earnings of the said workman during disablement. It is further stipulated that all rights of commutation under section 7 of the said Act are unaffected by this agreement. It is, therefore, requested that this memorandum be duly recorded.

Dated.... 19 .  
Signature of Employer....  
Witness....  
Signature of workman....  
Witness....

NOTE:—An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible).

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of... ..

Dated .. 19 ..

....  
Workman.

The money has been paid and this receipt signed in my presence.

(NOTE:—This form may be varied to suit special cases, e.g., injury by occupational diseases, etc.).

### FORM N

(See Rule 49)

Whereas no agreement to pay compensation is said to have been reached between.... and.... and whereas.... has/have applied for registration of the agreement under section 28 of the Workmen's Compensation Act, 1923, notice is hereby given that the said agreement will be taken into consideration on... 19... and that any objection to the registration of the said agreement should be made on that date. In the absence of valid objections it is my intention to proceed to the registration of the agreement.

Dated.... 19... Commissioner.

### FORM O

(See Rule 49 and 50)

Take notice that registration of the agreement to pay compensation said to have been reached between you.... and.... on the.... 19.... has been refused for the following reasons....

Dated .. 19 ..

Commissioner

### FORM P

(See Rule 50)

Whereas an agreement to pay compensation is said to have been reached between.... and.... and whereas.... has/have applied for registration of the agreement under section 28 of the Workmen's Compensation Act, 1923 and whereas it appears to me that the said agreement ought not to be registered for the following reasons, namely—

....  
an opportunity will be afforded to you of showing cause on... 19  
why the said agreement should be registered. If no adequate

cause is shown on that date, registration of the agreement will be refused.

Dated 19.

Commissioner

FORM Q  
(See Rule 51)

Whereas an agreement to pay compensation is said to have been reached between... and... and whereas has/have applied for registration of the agreement under section 28 of the Workmen's Compensation Act, 1923, and whereas it appears to me that the said agreement ought not to be registered for the following reasons, namely:—

an opportunity will be afforded to the said... of showing cause on... 19... why the said agreement should be registered. Any representation which you have to make with regard to the said agreement should be made on that date. If adequate cause is then shown, the agreement may be registered.

Dated 19.

Commissioner

FORM R  
(See Rule 52)

Register of Agreements for the year 19

S. No.	Date of agreement.	Date of registration.	Employer.	Workman.	Initials of Commissioner.	Reference to order rectifying the register.
1	2	3	4	5	6	7

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.



*Notifications under*

**WORKMEN'S COMPENSATION (TRANSFER OF MONEY) RULES, 1953**

*Published in Rajasthan Raj-patra Dated March 21, 1955 part I at page 1114 :*

**NOTIFICATIONS.**

**Jaipur, March 12, 1953.**

No. 15 (2) Lab./52.—In exercise of the powers conferred by sub-rule (b) of rule 2 of the Workmen's Compensation (Transfer of Money) Rules, 1953, the Government of Rajasthan is pleased to appoint the Labour Commissioner, Rajasthan as an "Authorised Officer" for the State of Rajasthan for the purpose of performing the functions assigned under the said Rules.

**By Order of**  
**His Highness the Rajpramukh.**  
**CHANDRA PAL SINGH,**  
**Secretary to the Government.**

## Notifications under

### Workmen's Compensation (Transfer of Money) Rules, 1935.

Pub. in Raj. Raj-patra part I (b) dated November 17, 1960 at page 455

Labour Department

#### NOTIFICATIONS

*Jaipur, October 31, 1960.*

*No. F. 3 (17)/Ind(C) 60.*—In exercise of the powers conferred by sub-rule (b) of Rule 2 of the Workmen's Compensation (Transfer of money) Rules, 1935, as extended to the State of Rajasthan by the Government of India, vide their Notification No. SRO 1938, dated the 5th August, 1952, the Government of Rajasthan hereby appoints the following Officers, as "Authorised Officers" for the purposes of the aforesaid rules, for the area noted against each, namely:—

Name of Officer 1	Area 2
1. Labour Commissioner, Jaipur	....For whole of Rajasthan (for Railway lands and other central subjects except mines).
2. Labour Officer, Jaipur	....For Ajmer Division excluding Ajmer District.
3. Labour Officer, Jodhpur	... For Jodhpur Division.
4. Labour Officer, Bikaner	....For Bikaner Division.
5. Labour Officer, Bhilwara	.. For Udaipur Division.
. Labour Officer, Kotah	....For Kotah Division.
7. Labour Officer, Ajmer	....For Ajmer District.

*Notifications under*

**WORKMEN'S COMPENSATION (TRANSFER OF  
MONEY) RULES, 1935.**

*Published in Raj. Raj-patra part IV (c) dated November 22, 1962 at page 592-593 ;*

Labour Department

**NOTIFICATIONS**

*Jaipur, October 15, 1962.*

No. F. 3 (109) Lab /61.—In exercise of the powers conferred by sub-rule (b) of Rule 2 of the workmen's Compensation (Transfer of Money) Rules, 1935 as extended to the State of Rajasthan by the Government of India *Vide* their Notification No. SRO 1398, dated the 5th August, 1952 and in supersession of this Department Notification No. F. 3 (17) Ind. (C) 60, dated the 31st October, 1960 the State Government hereby appoints the following officers, to be "Authorised Officers" for the purposes of the aforesaid rules, for the areas noted against each, namely:—

- |   |   |
|---|---|
| 1. Labour Commissioner,<br>Rajasthan, Jaipur. | For whole of Rajasthan (For Railway lands and other Central subjects except mines). |
| 2. Labour Officer, Jaipur.                    | For Jaipur, Sawai Madhopur, Alwar and Bharatpur Districts.                          |
| 3. Labour Officer, Ajmer.                     | For Ajmer, Sikar and Jhunjhunu Districts.   |
| 4. Labour Officer, Kota.                      | For Kota, Bundi, Jhalawar and Tonk Districts.                                       |
| 5. Labour Officer, Jodhpur.                   | For Jodhpur, Pali, Sirohi, Barmér, Jalore and Jaisalmer Districts.                  |
| 6. Labour Officer, Bikaner.                   | For Bikaner, Sriganganagar, Churu and Nagaur Districts.                             |
| 7. Labour Officer, Bhilwara.                  | For Bhilwara, Chittorgarh. Udaipur, Dungarpur and Pratapgarh Districts.             |

# THE RAJ. WORKMEN'S COMPENSATION (COSTS & FEES) RULES, 1959.

Industries (C) Department  
NOTIFICATION

Jaipur, June 15, 1959

No. F. 1(6)/Lab /57.—In exercise of the powers conferred by section 32 of the Workmen's Compensation Act, 1923 (VIII of 1923) the Government of Rajasthan is pleased to make the following Rules, the same having been previously published as required under section 34 of the said Act.

## PART I

### Preliminary

1. *Short title.*—These rules may be called the Rajasthan Workmen's Compensation (Costs and Fees) Rules, 1959,

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context:—

(a) "The Act" means the Workmen's Compensation Act, 1923. (VIII of 1923).

(b) "Form" means a form appended to these Rules.

(c) "Section" means a section of the Act.

## PART II

Scales of Costs & the Fees Payable in Respect of Proceedings before a Commissioner

3. *Costs.*—(1) Where the Commissioner directs that any costs shall not follow the event, he shall state his reasons in writing.

(2) The costs which may be awarded shall include:—

(a) the charges necessarily incurred on account of court-fees;

(b) the charges necessarily incurred on subsistence money to witness; and

(c) pleaders' fees on the scale prescribed in the following rules.

(3) In any proceeding involving an application for compensation in the form of a lump sum, an application for commutation or an application for indemnification, the fee allowed shall be Rs. 10/- subject, by special order of the Commissioner, to diminution to a sum not less than Rs. 5/- and to increase to a sum not more than Rs. 50/- for each such proceedings. In all other applications, the fee allowed shall be Rs. 5/- subject to increase by special order to a sum not exceeding Rs. 20/-

(4) When a party engages more pleaders than one to conduct or defend a case, he shall be allowed one set of costs only.

Pub. in Raj. Raj-patra part IV (c) dated September 10, 1959 at page 599.

(5) When several defendants having substantially one defence to make, employ several pleaders, they shall be allowed one set of costs only. In such cases, it will be for the applicant, at the time of hearing, to ask for a direction of the Court that separate costs be not allowed.

(6) When two or more defendants having separate substantial defence, have engaged the services of one pleader, they shall be allowed separate sets of costs. In this case, it will be for the defendants interested, to apply at the hearing for separate costs.

(7) When several defendants having separate defences are represented by separate pleaders they shall be entitled to separate costs.

4. *Fees*.—The fees specified in column 3 of the subjoined Schedule shall be payable in respect of the proceedings mentioned in the second column of the said Schedule;—

#### SCHEDULE

S. No. 1	Description of proceedings. 2	Amount of fees. 3
-------------	----------------------------------	----------------------

#### **I Application for compensation.**

- |     |  |  |
|-----|--|--|
| (a) | Where compensation is claimed in the form of recurring payments. | Eight annas.   |
| (b) | Where compensation is claimed in the form of a lump sum.         | One rupee where the sum does not exceed Rs. 500/- plus Rs. 1/- for each additional sum of Rs. 500/- or fraction thereof. |

#### **II. Application for commutation.**

- |     |                                  |              |
|-----|----------------------------------|--------------|
| (a) | By agreement between the parties | Eight annas. |
| (b) | In all other cases.              | Two rupees.  |

#### **III. Application for the deposit of compensation.**

- |     |   |              |
|-----|---|--------------|
| (a) | Under section 8 (1) of the Act.   | Nil.         |
| (b) | Under section 8 (2) of the Act (in respect of each person to whom compensation is payable). | Eight annas. |

#### **IV. Application for distribution by dependents for each dependant.**

One rupee.

#### **V. Application for review.**

- |     |   |              |
|-----|---|--------------|
| (a) | Where the review claimed is the continuance, increase, decrease or ending of half-monthly payments. | Eight annas. |
|-----|---|--------------|

(b) Where the half-monthly payments are sought to be converted into a lump sum. Two rupees.

(c) In all other cases. One rupee.

**VI. Application to summon witnesses.**

(a) For the first witness mentioned in the application. Eight annas.

(b) For every subsequent witness. Four annas.

**VII. Application for the registration of agreements.**

(a) Where the application or the memorandum of agreement is signed by the both parties Nil

(b) In all other cases. Eight annas

**VIII. Application indemnification. Three rupees.**

**IX. Application for the recovery of compensation.**

(a) Under an order already passed by the commissioner. Eight annas.

(b) In all other cases. The same fee as payable on a similar application for compensation.

**X. Application not otherwise provided for. Eight annas.**

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N. B.—In the case of any application falling under the head X, the Commissioner may, if he thinks fit, permit the application to be made without fee.

5. *Application may be required to deposit excess fees.*—If in any case, the Commissioner considers that he ought to pass orders granting relief of a different kind or to a different extent from that claimed by the applicant and if the fee, which would have been payable by the applicant on an application for the relief which the Commissioner considers to be due, is greater than the fee, which has actually been paid the Commissioner may require the applicant to deposit fees to the extent of the difference.

**PART III**

Maintenance of Registers, Language of the Court Records, Certified copies, Allowance to Witnesses.

6. *Register of application.*—Applications presented to the Commissioner, shall be registered in a register in Form A.

7. *Register of fatal accidents.*—Every Commissioner shall maintain a separate register in Form B of fatal accidents, which come to his knowledge either on account of deposits made by,

or on behalf of, employers, or because of applications made by dependants of a deceased workman or an order for deposit and payment of compensation.

8. *Register of non-fatal accidents.*—Every Commissioner shall maintain a separate register in Form C, of non-fatal accidents, which come to his knowledge in any of the following ways:—

(1) On account of application for registration of memorandum of agreements.

(2) On account of applications for commutation of half-monthly payments.

(3) On account of amount of compensation deposited with the Commissioner under section 8 (2).

(4) On account of application for settlement of claim made by the injured workmen.

9. *Language of the record*—The record of the Commissioner shall be kept in the English Language.

10. *Supply of certified copies to parties.*—Certified copies of any papers, in any proceedings, before a Commissioner, should be supplied to the parties, so far as may be, in accordance with the general Rules (Civil) 1952 framed by the High Court of Rajasthan.

11. *Allowance of witnesses*—In cases where a Commissioner has to issue summons to a witness either at the instance of a party to a proceedings before him, or, on his own initiative, the allowances to be paid to the witness, shall be on the same scale.

## PART IV

12. *Fees to assessors.*—Where in pursuance of the provisions of sub-section (2) of section 20, any person possessing special knowledge of any matter relevant to the case under inquiry is chosen by the Commissioner to assist him in holding the same, he shall be entitled to such fee as the Commissioner may fix, subject to a maximum of rupees fifty and a minimum of rupees twenty:—

Provided that he shall be entitled to an additional fee of rupees ten;

(a) For each extra case if he is required to sit in more than one case on the same day, and

(b) for each of the second and third days of any one case.

FORM 'A'

[See rule (6)]

Register for applications for the year 19

Name of application.		Order.		Remarks.
Date of presentation of application.	Serial No.	For distribution.	For deposit.	
		For compensation.		
		For half-monthly payment.		
		For commutation.		
		For review.		
		For recovery.		
		Application for registration of agreement.		
		Miscellaneous.		
		Name and address of the applicant.		
		Name and address of opposite party.		
		Claim.		
		Date.		
		For whom.		
		For what amount.		
		Appeal.		



## FORM 'B'

[See rule (7)]

## Register of Fatal Accidents for the Year 19

S. No.	Date of Information		Name of the deceased workmen.	Name of the employer.	Dependents of the deceased workmen.	Nature of accident & injury.	Amount of compensation and rate of monthly wages.	Date of distribution & rate of monthly wages.	Remarks.
	2	3							
1		3	4	5	6	7	8	9	10

## FORM 'C'

[See rule (8)]

## Register of Non-Fatal Accidents for the Year 19

S. No.	Date of information	Date of Accident	Name of the workmen injured	Name of the employer	Nature of injury		Amount of compensation		Date of disposal	Remarks.
					Permanent.	Temporary.	Lump sum	Half-monthly		
1	2	3	4	5	6	7	8	9	10	11

By Order of the Governor,  
A. K. ROY,  
Secretary to the Government.

# THE RAJ. WORKMEN'S COMP. (UNCLAIMED DEPOSITS) RULES, 1959

Industries (C) Department

## NOTIFICATIONS

*Jaipur, April 6, 1959.*

*No. F. 1 (6)/Lab.157.*—In exercise of the powers conferred by section 32 of the Workmen's Compensation Act, 1923 (VIII of 1923), the Government of Rajasthan is pleased to make the following Rules, the same having been previously published in Rajasthan Gazette as required under section 34 of the said Act, namely:—

1. *Short Title.*—(a) These rules may be called the Rajasthan Workmen's Compensation (Unclaimed Deposits) Rules, 1959.

(b) They supersede all previous rules on the subject in force in any part of Rajasthan.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context—

(a) 'Act' means the workmen's Compensation Act, 1923.

(b) 'Financial year' means the financial year as defined in clause (21) of section 3 of the General Clauses Act, 1897.

(c) 'Section' means a section of this Act.

(d) 'Treasury' means a Government Treasury;

(e) Words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

3. *Sums unclaimed for three years to be credited to Rajasthan Government.*—(1) When any person to whom any lump sum referred to in sub-section (7) of section 8 is payable dies, the Commissioner shall make an inquiry for ascertaining the person who is entitled to claim the said sum.

(2) If the commissioner finds that there is no person who claims the said sum for a period of three years from the date of the death of the person to whom the said sum was payable, it shall at the end of the financial year be paid into the Treasury to the credit of the State Government as deposit unclaimed, for the eventual benefit of any person to who may duly establish his claim thereto.

4. *List of sums unclaimed to posted in the office of the Commissioner, every year* — (1) In the month of January each year, a list showing sums, which at the end of the financial year will be due for being credited to the State Government under rule 3 and the names of persons to whom the said sums were payable, shall be posted up in the office of the Commissioner.

(2) If the said sums are not claimed by any persons before the 25th March, in that year, the Commissioner, shall pay the said sums into the treasury to be credit of the State Government on the forenoon of 31st March in the year.

(3) In the month of April following, the Commissioner shall furnish to the Accountant General, Rajasthan, a statement of all sums credited to the State Government showing separately the said sums in serial order, the names of persons to whom they were payable and the dates on which the said sum were credited to the State Government.

5. *Refund.*—If any person proves to the satisfaction of the Commissioner that he is entitled to any sum credited to the State Government under sub-rule (2) of rule 3, the Commissioner shall make an application in form A annexed hereto to the Accountant General, Rajasthan, for the refund of the said sum to the Commissioner, after verifying that it had been received by him and was credited to the State Government under sub-rule (2) of rule 3.

#### FORM 'A'

The Accountant General,  
Rajasthan.....

I...  
Workmen's Compensation Commissioner ...  
hereby certify that Shri/Shrimati...  
is/are the legal heir(s) of the deceased...  
...as per judgement dated...  
delivered by this Court on...

It is, therefore, requested that the sum of Rs...  
...deposited as per Statement  
dated... may be refunded for payment to the  
claimants.

Workmen's Compensation Commissioner.

# RAJ. WORKMEN'S COMPENSATION (OCCUPATIONAL DISEASES) RULES, 1965

Labour and Employment Department

Jaipur, August 26, 1965

*Notification No. F. 3 (40) Lab./62.*—In exercise of the powers conferred by clauses (p), (q) and (r) of sub-section (2) of section 32 of the Workmen's Compensation Act, 1923 (Central Act 8 of 1923), the State Government hereby makes the following rules, the same having been published previously in the Rajasthan Rajpatra, Part II (b) dated the 16th May, 1963; as required by sub-section (1) of section 34 of the said Act, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Workmen's Compensation (Occupational Diseases) Rules, 1965.

(2) They shall come into force on such date as the State Government may, by notification in the Rajasthan Gazette, appoint.

2. *Application.*—These rules shall apply to all workmen employed in any employment mentioned in Part C of Schedule III of the Act.

3. *Definitions.*—In these rules, unless the context otherwise requires

(a) "Act" means the Workmen's Compensation Act, 1923 (Central Act 8 of 1923);

(b) "asbestosis" shall mean—

(i) a pulmonary fibrosis which manifests itself radiologically as a ground glass appearance of the pulmonary field, of striations or reticular formations more or less marked, particularly diffuse at the bases or diffuse stippling or reticulation over extensive areas of both lung field, whether or not accompanied by signs of pulmonary tuberculosis; and

(ii) Coli-nacally, by the presence of asbestos bodies in the sputum, accompanied by tracheo-bronchitis and emphysema,

(c) "Bagassosis" means a disease which—

(i) Manifests itself as an acute allergic response due to sensitisation of the individual to bagasse dust; and

(ii) radiologically, consists of increase in the vascular shadows and increase in haziness and reticulation all over the lungs and increase in the hilar densities and some meeting. In acute phases patchy shadows resembling broncho pneumonia may be seen;

(d) "Medical Board" means the Pneumoconiosis Medical Board constituted by the State Government under rule 4 or any Medical Board recognised by the State Government for the purpose of these rules.

(e) "Pneumoconiosis" means silicosis or coal miners pneumoconiosis or asbestosis or any of these disease accompanied by pulmonary tuberculosis.

4. *Constitution of Pneumoconiosis Medical Board.*—(1) The State Government shall constitute a Pneumoconiosis Medical Board for the conduct of Medical examinations, submission of Medical reports and the grant of medical certificates in pursuance of these rules:

Provided that with respect to workmen employed in mines, the State Government may recognise any Medical Board for the purpose of these rules.

(2) The Board constituted or recognised under sub rule (1) shall consist of three specially qualified medical practitioners of whom one shall be a Radiologist.

(3) One member of the Medical Board shall be appointed as the Chief Medical Officer whose duty it will be to supervise working of the medical arrangements under the Act and these rules with a view to securing a uniform standard of efficiency.

(4) Any certificate given by the Medical Board shall not be granted except with the authority of at least two members of the Board.

(5) Any certificate given by the Medical Board under these rules shall be considered as final in respect of medical findings and shall be accepted as prima facie evidence in any proceedings.

(6) The board shall deliver or forward the certificate to the appropriate authority provided that when the application for such a certificate is made by or on behalf of an employer or a workman or his dependants a copy or copies of the certificate or certificates may be furnished to the employer or the workman or his dependants, as the case may be, on payment of prescribed fees.

5. *Medical conditions under which pneumoconiosis may be considered to be an occupational disease.*—[1] The diagnosis of pneumoconiosis shall be carried out with all the necessary tech-

nical guarantees. Proof of the degree of development of the pathological or anatomical changes in the respiratory and cardiac systems shall be furnished by the radiographic record and other laboratory records, which shall be accompanied by the report of a full clinical examination, including a report of the industrial history of the person concerned, the record of all occupations in which he had been employed, the nature of the harmful dusts to which he was exposed and the duration of the such exposure.

(2) For entitlement to compensation, silicosis and coal miners' pneumoconiosis shall fulfil the following radiological and clinical conditions:—

- [a] The radiological examination of the workmen must reveal:—
  - [i] the appearance of generalised micronodular or nodular fibrosis covering a considerable part of both lungs fields whether accompanied or not by signs of pulmonary tuberculosis;
  - (ii) in addition to marked accentuation of the pattern of both lungs, the appearance of once or several pseudo-tumoral fibrotic formations, whether accompanied or not by signs of pulmonary tuberculosis; or
  - (iii) the appearance of both of these types of fibrotic lesions at once, whether accompanied or not by signs of pulmonary tuberculosis;
- (b) serial radiological pictures taken over a period during periodical medical examinations shall as far as possible be considered in making definite diagnosis in cases where doubt exists;
- (c) Radiological interpretation shall be based on the standard international classification laid down by the International Labour Organisation ( Geneva classification);
- (d) the clinical examination of the workman concerned must reveal a decrease or deterioration of the respiratory function or cardiac function, or a deterioration of the state of general health, caused by the pathological processes specified above.

(3) The above mentioned radiological and clinical signs shall not be considered as being those of pneumoconiosis as covered by these rules, unless the workers affected have been engaged continuously for atleast the periods specified below, in work involving them in the risk of inhaling harmful dust in the industries or occupations specified in the Act:—

Absetosis	3 years,
Bagassosis	3 years,
Silicosis,	3 years,
Coal miners' Pneumoconiosis	3 years:

Provided that any workman who has heretofore ceased or may hereafter cease to be usually and regularly employed in an industry or occupation under this Act in which he was exposed to harmful dust shall make and establish his claim within four years from the date of leaving such employment.

6. *Diagnosis.*—The diagnosis of pneumoconiosis shall be carried out with all the necessary technical guarantees. Conclusive proof of the degree of development of the pathological or anatomical changes in the lungs and cardiac systems shall be furnished by the radiographical record which shall be accompanied by a full clinical examination including the life history of the person concerned the record of the occupations in which he was previously employed and the nature of the harmful dusts to which he was exposed and the duration of such exposure.

7. *Qualifying period.*—(i) Compensation for disability or death in respect of an occupational disease under part C of Schedule III shall not be payable unless the disease is due to the nature of his employment and contracted thereon or in a continuous employment similar to the one on which he was engaged at the time of disablement, within the two years previous to the date of disablement whether under one or more employers.

(ii) The time limit for contraction of the disease prescribed under sub-section (3) of section 5 shall not bar compensation in the case of an employee who contracted the disease in the same employment with the same employer by whom he was employed at the time of his disablement thereby; provided, however, that where there has been neither a claim filed nor determination prior to the death of an employee that the disablement was due to exposure to harmful dust, the dependants of such an employee shall be entitled to compensation from death resulting from the disease due to an occupational exposure to any of the specific harmful dusts and was contracted within two years previous to the date of death.

Neither shall the right to compensation in such cases be barred by the failure of the employee or his dependants to file a claim within the two years period provided by section 10 of the Act.

8. *Date of disablement.*—For the purpose of these rules the date of disablement shall be such date as the pneumoconiosis Medical Board determine on the hearing of the claim.

9 *Liability of employer.*—(1) The employer in whose employment an employee was last employed to an injurious dust hazard shall be liable for the payment required by Chapter II of the Act when disability or death of the employee shall be due to Silicosis, Pneumoconiosis or other dust disease.

(2) Notwithstanding anything contained in rule 7, the employer shall be liable for the payments prescribed by Chapter II of the Act where such disability results within four years after the last injurious exposure as defined in rule 7 or where death results at any time from such injurious exposure.

10. *Permanent incapacity.*—(1) As a result of silicosis, coal Miners' Pneumoconiosis and asbestosis, permanent incapacity shall in every case be classified primarily according to the degree of loss of working capacity caused; radiological manifestations being regarded as an essential element, but only in relation to clinical data and functional tests.

(2) Total disablement or death (as definitely distinguished from a contributory or accelerating cause) shall be interpreted as a condition by silicosis, anthracosis, anthraco-silicosis or asbestosis or by silicosis; anthracosis anthraco-silicosis or asbestosis or by silicosis, anthraco-silicosis or asbestosis when accompanied by pulmonary tuberculosis.

11. *Medico-legal classification of workmen.*—Medico-legal classification of workmen shall comprise the following situations:—

(1) normal, when a worker is not suffering from silicosis, pneumoconiosis or dust disease;

(2) under observation, characterised by the presence of symptoms which while not proving the existence of typical silicosis/pneumoconiosis or dust disease and not involving incapacity for work, require frequent periodical supervision of the workmen;

In the above two cases, the workman shall remain at his normal work.

(3) first stage silicosis/pneumoconiosis shall include cases of definite and typical silicosis pneumoconiosis but to an extent which does not involve any reduction of functional capacity for work.

In the cases, referred to in sub-rules (2) and (3) above, it will be obligatory on the part of the employers for making arrangement for periodical medical examination of workers;

(4) second stage silicosis/pneumoconiosis when the incapacity due to the disease prevents the worker from continuing his employment in any of the operations in any industry where



the risk of silica/other dust hazard lies, it shall be regarded as second degree silicosis pneumoconiosis with entitlement to compensation a total permanent incapacity for the workers is normal employment;

(5) third degree silicosis/pneumoconiosis when the disease manifests itself at the slightest physical effect and precludes any form of employment, it shall be classified as third degree silicosis/pneumoconiosis and give rise to compensation as absolute permanent incapacity.

(6) silico-tuberculosis, whenever silicosis/pneumoconiosis in any degree giving rise to payment of compensation is accompanied by an active tubercular process, the worker suffering therefrom shall be regarded as falling under this paragraph.

12. *Review of incapacity.*—The cases of incapacity certified as due to silicosis pneumoconiosis shall be reviewed every two years or earlier if it is considered by the Employees' State Insurance Corporation or Pneumoconiosis Medical Board or the worker or the undertaking that the clinical conditions of the patient has altered.

13. *Application for autopsy.*—In case of death of the claimant, application for autopsy shall suffice and the findings of the postmortem shall be delivered to the dependant for compulsory claim purposes.

14. *Evaluation of disablement.*—(1) The evaluation of disablement shall be made by reference to the physical (anatomical, physiological and functional) and mental capacity for the exercise of the necessary functions of a normally occupied life which would be expected in a healthy person of the same age and sex. For such assessment, recognised cardio-respiratory function tests shall be used to assess the degree of cardio-respiratory function impairment.

(2) It shall be determined whether the disablement is temporary or permanent and also the percentage loss of function as it pertains to the loss of working capacity for receiving compensation.

(3) Assessment of disablement shall be given in multiples of 10 and shall be proportionate to the loss of earning capacity total disablement being taken to be 100% loss of earning capacity provided that the lowest assessment on which an award of compensation can be made is 40% loss of earning capacity.

*Explanation.*—For the purpose of this rule "permanent disablement" shall mean such disablement as is certified to be permanent by the Medical Board.

15. *Certification of cases.*—(1) The claim for compensation in respect of a workman contracting any disease specified in part C of Schedule III to the Act shall be supported by a certificate issued by a qualified medical practitioner in Form 'A' appended to these rules.

Provided that where the contracting of such a disease has resulted in death or permanent disablement of the workmen, the claim shall also be supported by an endorsement on the certificate, in Form 'B' appended to these rules, by the Medical Board, and in case of difference of opinion between the qualified medical practitioner and the Medical Board, the opinion of the Medical Board shall prevail.

(2) The certificate issued by a qualified medical practitioner shall contain the following particulars:—

- (a) .... is suffering from pneumoconiosis/pneumoconiosis with pulmonary tuberculosis and condition is reasonably attributable to his employment in ...
- (b) .... is fit for... (here certify as to his fitness for work specifying where necessary the kind of employment for which he is fit).
- (c) The general physical and mental capacity of ... by...is impaired pneumoconiosis/pneumoconiosis with pulmonary tuberculosis to the extent of... per cent.
- (d) This certificate is issued for a period of... years.

(3) The Certificate issued by the Medical Board shall contain the particulars specified in clauses (a), (b), and (c) of sub-rule (2) of this rule and also the following particulars:—

"It is certified that the disability of... is permanent."

### FORM 'A'

#### CERTIFICATE OF DISABILITY DEATH

This is to certify that Shri... son of ... age... years... died on ... was suffering from pneumoconiosis/pneumoconiosis with pulmonary tuberculosis, and the contracting of the disease is/was reasonably attributable to his employment in...

#### (1) *Temporary disablement.*

- (a) The disability is in my opinion of a temporary nature likely to last for... years... months.

*He is unfit for work in his present employment.*

Fit for.... , ....

(State employment for which he is considered fit).

(2) *Permanent disablement.*

The disability is of a permanent nature and is/assessed  
at .. ... per cent.

(3) *Death.*

Death is attributable to the contracting of disease.

(Cancel out portions not applicable).

Place.....

Signature of the qualified

Date.....

Medical practitioner-

FORM 'B'

*Endorsement to be made by Medical Board in cases of  
permanent disability or death.*

This is to certify that.... is/was suffering from  
pneumoconiosis/pneumoconiosis with pulmonary tuberculosis,  
and the contracting of the disease is/was reasonably attribu-  
table to his employment in.....

(1) *Permanent disability.*

It is certified that the disability is of a permanent nature  
and is assessed at.... .. per cent.

(2) *Death.*

It is certified that the death of Shri.... is/was  
attributable to the contracting of the disease.

Place.....

Signature of Members of

Date.....

Medical Board.

*Note:—The Medical Board may call for any further infor-  
mation what may be considered necessary by it  
from the Medical Practitioner concerned before  
countersigning Certificate in case of death.*

## *Notification under*

### RAJ. WORKMEN'S COMPENSATION (OCCUPATIONAL DISEASES) RULES, 1965

Labour and Employment Department

Jaipur, September 18, 1965

Notification No. F. 3 (40) Lab/62.—In exercise of the powers conferred by sub-rule (2) of rule 1 of the Rajasthan Workmen's Compensation (Occupational Diseases) Rules, 1965, the State Government hereby appoints the 20th day of September, 1965, as the date on which the said rules, shall come into force.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 18-9-65 page 369]

Labour and Employment Department

Jaipur, May 30, 1967

Notification No. F. 3 (39) Lab./63.—In exercise of the powers conferred by sub-section (1) of section 20 of the Workmen's Compensation Act, 1923 (Central Act VIII of 1923) and in supersession of this Department Notifications No. F. 9(1) (55) Lab./63, dated July, 24th 1965 and No. F. 9(1) (55) Lab./63. dated the 18th July, 1966 the State Government hereby appoints the following Officers by virtue of their office, to be Commissioners, for the Workmen's Compensation, for the local areas specified against each, namely:—

S.No.	Designation	Jurisdiction
1.	Regional Assistant Labour Commissioner, Jaipur.	For Jaipur and Tonk Districts.
2.	Regional Assistant Labour Commissioner, Kota	For Kota, Bundi and Jhalawar Districts and for the area of Ranapratap Sagar Project in Chittorgarh District.
3.	Regional Assistant Labour Commissioner, Jodhpur.	For Jodhpur, Jaisalmer, Pali Barmer, Sirohi, Jalore and Nagore Districts.
4.	Regional Assistant Labour Commissioner, Bhilwara.	For Bhilwara and Chittorgarh Districts excluding the area of Ranapratap Sagar Project in Chittorgarh District.
5.	Regional Assistant Labour Commissioner, Ajmer.	For Ajmer, Sikar and Jhunjhunu Districts.

- |    |   |   |
|----|---|---|
| 6. | Regional Assistant Labour<br>Commissioner, Bikaner.   | For Bikaner , Churu and Sri<br>Ganganagar Districts.  |
| 7. | Regional Assistant Labour<br>Commissioner, Udaipur.   | For Udaipur. Banswara and<br>Dungarpur Districts.     |
| 8. | Regional Assistant Labour<br>Commissioner, Bharatpur. | For Bharatpure, Alwar and<br>Sawaimadhopur Districts. |

[Pub. in Raj. Gaz Ex.4 (Ga)—Dt. 30-5-67—Page 200]

*Notifications under*

**WORKMEN'S COMPENSATION ACT, 1923.**

*Pub. in Raj. Raj patra Vol. 2 No 43 Dated August 12, 1950 part I at page 345 :*

Labour Department.

**NOTIFICATIONS**

Jaipur, August 4, 1950.

*No. 1514/Lab/(i)*—In exercise of the powers conferred by section 20 of the Workmen's Compensation Act 1923 of the Central Legislature as adapted by the Rajasthan Adaptation of Central Laws Ordinance 1950, the Government of Rajasthan is pleased to appoint the Labour Commissioner, Rajasthan by virtue of his office, as Commissioner for Workmen's Compensation for Rajasthan.

*Pub in Raj. Raj. patra Vol. 3 part I at page 700 :*

Labour Department.

**NOTIFICATIONS.**

Jaipur, November 2, 1951.

*No. 1499. /Lab.*—In exercise of the powers conferred by sub-section (1) of section 20 of the Workmen's Compensation Act, 1923 (VIII of 1923), the Government of Rajasthan is pleased to appoint Labour Officers in Rajasthan by virtue of their office, to be commissioners for Workmen's Compensation for their respective areas.

*Pub. in Raj. Raj-patra Vol. 4 part I at page 694 :*

Labour Department.

**NOTIFICATION.**

Jaipur, October 7, 1952.

*No. F. 15 (7) Lab./52.*—In exercise of the power conferred by sub-section (1) of section 20 of the Workmen's compensation Act, 1923 (VIII of 1923), the Government of Rajasthan is pleased to appoint the following officers to be Commissioners for Workmen's Compensation for the areas noted against their names:—

Shri N. K. Joshi,  
Special Labour  
Officer, Rajasthan.

Kotah Division and Alwar District  
in Jaipur Division.

Shri U. M. Patni,  
Labour Officer,  
Jaipur and Kotah  
Divisions.

Jaipur Division excluding Alwar  
District.

By Order of

His Highness the Rajpramukh  
CHANDRAPAL SINGH,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated Februray 14, 1953 part I at page 1039 :*

Labour Department.

# NOTIFICATION.

Jaipur, January 29, 1953.

No. F. 15 (7) Lab./53.—In exercise of the power conferred by sub-section (1) of section 20 of the Workmen's Compensation Act, 1923 (VIII of 1923), the Government of Rajasthan is pleased to appoint the following officer as commissioner for Workmen's Compensation for the area noted against his name vide Shri Narendra Kumar Joshi:—

Shri Tikam Chand Jain,  
Special Labour Officer,  
Rajasthan.

Kotah Division and  
Alwar District in  
Jaipur Division.

By Order of  
His Highness the Rajpramukh,  
CHANDRAPAL SINGH,  
Secretary to the Government. :

*Published in Raj. Raj patra Dated August 29, 1953 part I at page 648 :*

Jaipur, August 17, 1953.

No. F. 15 (14) Lab./52.—The Government of Rajasthan proposes in exercise of the powers conferred on it by sub-section (3) of the Workmen's Compensation Act, 1923 (Central Act No. VIII of 1923) to add to Part 'B' of Schedule III to the said Act "any employment wherein the mineral dust is such as to cause silicosis" and to specify in the case of such employment "Minersphthisis or Silicosis" to be the disease which within the State of Rajasthan shall be deemed for the purposes of section 3 of the said Act to be the occupational disease peculiar to such employment.

The proposed addition is intended to be made with effect from the December, 1953 and this notice is ingly given as required by sub section (3) of the said Act, for the information of all persons likely to be thereby.

By Order of  
His Highness the Rajpramukh,  
G.  
Secretary to the Government.

*Published in Raj. Raj-patra Dated September 25, 1954 part I (a) page 154 :*

Labour Department

# NOTIFICATIONS

Jaipur, September 13, 1954.

No. F. 15 [3] Lab./52 —In exercise of the power conferred by sub section (1) of section 20 of the Workmen's Compensation Act 1923 (Central Act VIII of 1923), and in supersession of Government Notifications No. F. 15 [7] Lab./ 52, dated 7th October, 1952 and No. F. 15 [7] Lab./53, dated 29th January, 1953 the

Government of Rajasthan is pleased to appoint the following Officers to be Commissioners for Workmen's Compensation for the areas noted against them:—

1. Labour Officer, Jaipur .. Jaipur, Division.
2. Labour Officer, Kotah .. Kotah, Division.

Jaipur, September 13 1954.

No. F. 15 [3] Lab./52.—In exercise of the power conferred by sub-section [1] of section 20 of the Workmen's Compensation Act, 1923 [Central Act VIII 1923], the Government of Rajasthan is pleased to appoint the following Officers to be Commissioners for Workmen's Compensation for the areas noted against them:—

1. Labour Officer, Jodhpur .. Jodhpur, Division.
2. Labour Officer, Bikaner .. Bikaner, Division.

*Published in Raj. Raj-patra Dated April 14, 1956 part 1 (a) at page 19 :*

#### ENGLISH TRANSLATION

(Authorised by His Highness the Rajpramukh)

#### NOTIFICATIONS.

Jaipur September 8, 1955.

No. F. 15 (14) Lab./52-53—In exercise of the powers conferred by sub-section (3) of section 3 of the Workmen's Compensation Act, 1923 (VIII of 1923), the Government of Rajasthan is hereby pleased to add to the employment specified in Part B. of Schedule III of the said Act "Any employment wherein the mineral dust is such as to cause Silicosis" and to specify in the cause of such employment "Miner's Phthisis or Silicosis" as the disease which within the State of Rajasthan shall be deemed for the purpose of section 3 of the said Act to be the occupational disease peculiar to such employment.

More than 3 months' notice of the intention to issue this notification has been given by the Government of Rajasthan by notification in the Rajasthan Gazette as required by sub-section (3) of section 3 of the said Act, vide this Department Notification No. F. 15 (14) Lab./52 dated the 17th August 1953.

*Published in Raj. Raj-patra Dated May 23, 1957 part 1 (b) at page 91 :*

Labour Department

#### NOTIFICATION

Jaipur, April 22, 1957.

No. F. 1 [5] Lab/57.—In exercise of the powers conferred by section 16 of the Workmen's Compensation Act, 1923 (VIII of 1923) the Governor is pleased to direct that annual return in the form set forth in the schedule hereto annexed shall be furnished by every person employing workmen who are:—

(a) employed in a place which is a factory within the meaning of clause (m) of section 2 of the Factories Act, 1948.

(b) employed within the meaning of clause (J) of Section 2 of the Indian Mines Act, in any mine which is subject to the operation of that Act.

(c) employed as Railway servants.

(d) employed in any of the following categories but not falling under any of the foregoing heads (a), (b) and (c).



- (i) otherwise than in a clerical capacity in the generating transforming or supplying of electrical energy or gas,
- (ii) in producing cinematograph pictures intended for public exhibition or in exhibiting such pictures,
- (iii) employed for the purpose of making altering, repairing ornamenting, finishing or otherwise adapting for use, transport or sale any article or part of an article in any premises wherein or within the precincts where of on any of the preceding twelve months,
- (iv) employed in the construction, repair or demolition of—
  - (a) any building which is designed to be or is or has been more than one storey in height above the ground or twenty feet or more from the ground level to the apex of the roof; or
  - (b) any road, bridge or tunnel.
- (v) employed in setting, repairing, maintaining or taking down any telegraph or telephone line to part of any overhead electric lines or cable or part or standard for the same,
- (vi) employed, otherwise than in a clerical capacity in the construction working, repair or demolition of any aerial, rope way, canal, pipe line or sewer, or
- (vii) employed in service of any fire brigade, or
- (viii) employed as an inspector, mail guard, sorter or van peon in the R.M.S. or employed in any occupation ordinarily involving out door work in the Indian Posts and Telegraphs Department, or
- (ix) employed, otherwise than in a clerical capacity, in connection with operations for winning natural petroleum or natural gas, or
- (x) employed in any occupation involving blasting operations,
- (xi) employed in the training, keeping or working elephants or wild animals, or
- (xii) employed as driver, or
- (xiii) employed in operations for the catching or hunting or elephant or other wild animals, [or]
- (xiv) employed in the handling or transport of goods in or within the precincts of:—
  - (a) any warehouse or other place in which goods are stores, and in which on any one day of the preceding twelve months ten or more persons, have been employed, [or]
  - (b) any market in which on any one day of the preceding twelve months one hundred or more persons, have been employed [or]
- (xv) employed in any occupation involving the handling and manipulation of radium or X-rays apparatus or contact with radio active substances.

2. The return which shall relate to a calendar year shall be furnished on or before the 1st February following the year to which relates.

3. The returns shall be signed [a] by the employer or where there is more than one employer any employer or [b] by any person directly responsible to the employer or employers for the management of the establishment to which it relates.

4. The return shall be furnished to the Labour Commissioner, Rajasthan, Jaipur.

### SCHEDULE

#### workmen's Compensation

Return relating to period from..... to 31st December, 1956.

State.....

District.....

Town or Village Post Office.....

Name of establishment.....

Nature of work.....

Average number employed per day..... Adults..... Minors.....

#### Accidents

#### Occupations diseases.

No. of cases of injuries in respect of which final compensation has been paid during the year	Amount of compensation paid	No. of cases of diseases in respect of which final compensation has been paid during the year.	Amount of compensation paid.
---	-----------------------------	--	------------------------------

Death.	Personal disablement.	Temp. disablement.	Death.	Permanent disablement.	Temp. disablement.	Nature of diseases.
--------	-----------------------	--------------------	--------	------------------------	--------------------	---------------------

Death.	Permanent disablement.	Temp. disablement.
--------	------------------------	--------------------

Death.	Permanent disablement.	Temp. disablement.
--------	------------------------	--------------------

Adult

Minors

Dated.....19

[Signed].....

Designation.....

By Order of the Governor,  
A. K. ROY,  
Secretary to the Government.

Published in Raj. Raj-patra Dated May 23, 1957 part IV (c) page 60 :

Jaipur, April 29, 1957.

No. F. 1 (12) Lab./57—In exercise of the powers conferred by sub-section (1) of section 20 of the Workmen's Compensation Act, 1923 (Central Act VIII of 1923), the State Government hereby appoints the following officers by virtue of their office to be Commissioners for the workmen's compensation for the areas noted against such namely:—

1. Labour Officer, Jaipur	Ajmer Division excluding Ajmer District.
2. Labour Officer, Ajmer	Ajmer District
3. Labour Officer, Jodhpur.	Jodhpur Division
4. Labour Officer, Bikaner.	Bikaner Division
5. Labour Officer, Kotah.	Kotah Division
6. Labour Officer, Bhilwara.	Udaipur Division

This notification supersedes all previous notifications on the subject in force in any part of Rajasthan and shall have effect as from 1st November 1956.

*Published in Raj. Raj-patra Dated September 12, 1957, part I (b) at page 340 :*

Industries (c) Department  
(Labour Section)

**NOTIFICATION**

Jaipur, August 31, 1957.

*No. P. 1 (12) Lab/57.*—In exercise of the powers conferred by sub-section (1) of section 20 of the Workmen's Compensation Act, 1923 (Central Act VIII of 1923), the Government of Rajasthan hereby appoints the Labour Commissioner, Rajasthan Jaipur as Commissioner for Workmen's Compensation for Railway Lands and Central subjects except mines for the whole of the Rajasthan State.

By Order,

A. K. Roy,

Secretary to the Government.

*Published in Raj. Raj-patra Dated August 28, 1958 part IV (c) at page 865.*

Jaipur, August 9, 1958.

*No. P. 1 (12)/Lab/58.*—In exercise of the powers conferred by sub-section (1) of section 20 of the Workmen's Compensation Act, 1923 (Central Act VIII of 1923), the State Government hereby appoints the Labour Commissioner, Rajasthan, Jaipur, by virtue of his office, to be the Commissioner for Workmen's Compensation for the whole of the State of Rajasthan, and further orders that he will work as such as and when circumstances require.

By Order of the Governor,

A. K. Roy,

Secretary to the Government.

## Notifications under

### WORKMEN'S COMPENSATION ACT, 1923.

*Published in Raj. Raj-patra part IV(c) dated November 22, 1962 at page 594-595*

*Jaipur, October 15, 1962.*

No. F. 3 (109) Lab./61/4307.—In pursuance of section 24 of the Workmen's Compensation Act, 1923 (Central Act 8 of 1923) and in supersession to this Department Notification No. F. 3 (121) Lab./59, dated the 31st October, 1960, the State Government hereby specified the following Officers for the purposes of the said section for the areas noted against each, namely:—

- |                                |   |
|--------------------------------|---|
| 1. Labour Inspector, Jaipur.   | For Jaipur, Sawai Madhopur, Alwar and Bharatpur Districts.              |
| 2. Labour Inspector, Ajmer.    | For Ajmer, Sikar and Jhunjhunu Districts.                               |
| 3. Labour Inspector, Kota.     | For Kota, Bundi, Jhalawar and Tonk Districts.                           |
| 4. Labour Inspector, Jodhpur.  | For Jodhpur, Pali, Sirohi, Barmer, Jalore and Jaisalmer Districts.      |
| 5. Labour Inspector, Bikaner.  | For Bikaner, Sriganganagar, Churu, and Nagaur Districts.                |
| 6. Labour Inspector, Bhilwara. | For Bhilwara, Chittorgarh, Udaipur, Dungarpur and Pratapgarh Districts. |

*Jaipur, October 15, 1962.*

No. F. (103) Lab./61/4308.—In exercise of the powers conferred by sub-section (1) of section 20 of the Workmen's Compensation Act, 1923 (Central Act 8 of 1923) and in supersession of this Department Notification No. F. 1 (12) Lab./57 dated the 29th April, 1957, the State Government hereby appoints the following Officers, in virtue of their officer, to be Commissioners for the Workmen's Compensation for the areas specified against each, namely:—

- |                              |   |
|------------------------------|---|
| 1. Labour Officer, Jaipur.   | For Jaipur, Sawaimadhopur, Alwar and Bharatpur Districts.               |
| 2. Labour Officer, Ajmer.    | For Ajmer, Sikar and Jhunjhunu Districts.                               |
| 3. Labour Officer, Kota.     | For Kota, Bundi, Jhalawar and Tonk Districts.                           |
| 4. Labour Officer, Jodhpur.  | For Jodhpur, Pali, Sirohi, Barmer, Jalore and Jaisalmer Districts.      |
| 5. Labour Officer, Bikaner.  | For Bikaner, Sriganganagar, Churu and Nagaur Districts.                 |
| 6. Labour Officer, Bhilwara. | For Bhilwara, Chittorgarh, Udaipur, Dungarpur and Pratapgarh Districts. |

*Notifications under*

**Workmen's Compensation Act, 1923.**

Pub. in Raj. Raj-patra part I (b) dated September 3, 1959 at page 289

Industries 'C' Department

**NOTIFICATION**

*Jaipur, August 4, 1959.*

*No. F. 3 (53)/Lab./59.5397.*—In pursuance of sub-section (3) of section 2 of the Workmen's Compensation Act, 1923 (VIII of 1923), the Government of Rajasthan having given previous notice of its intention to do so hereby adds to Schedule II of the said Act the persons:—

(1) employed for the purpose of loading or unloading any mechanical propelled vehicle, or in the handling or transporting of goods, which have been loaded into any mechanical propelled vehicle;

(2) employed in any occupation ordinarily involving outdoor work by any municipality or by any District Board.

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

Pub. in Raj. Raj patra part I (b) dated November 17, 1960 at page 456

*Jaipur, October 31, 1960.*

*No. F. 3 (121)/Lab/59.*—In pursuance of the provisions of section 24 of the Workmen's Compensation Act, 1923 (No. 8 of 1923), the State Government hereby specifies the following officers for the purposes of the said section, for the area noted against each, namely:—

- |                               |  |
|-------------------------------|--|
| 1. Labour Inspector, Jaipur   | ... For Ajmer Division excluding Ajmer District. |
| 2. Labour Inspector, Jodhpur  | ....For Jodhpur Division                         |
| 3. Labour Inspector, Bikaner  | ....For Bikaner Division.                        |
| 4. Labour Inspector, Bhilwara | ....For Udaipur Division.                        |
| 5. Labour Inspector, Kota     | ....For Ajmer District excluding Ajmer.          |
| 6. Labour Inspector, Beawar   | ....For Ajmer District excluding Ajmer Division. |

By Order of the Governor,  
GOVERDHAN SINGH,  
Secretary to the Government.

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*Rules and Notifications under*

ZAMINDARI & BISWEDARI ABOLITION ACT, 1959.  
(RAJ. ACT No. 8 OF 1959).

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# THE RAJASTHAN

## Zamindari and Biswedari Abolition Rules, 1959.

### REVENUE DEPARTMENT NOTIFICATION

Jaipur, April 8, 1959.

No. F. I (152) Rev. A/59.—In exercise of the powers conferred by section 36 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959), the State Government does hereby make the following rules, namely:—

#### Notes

Section 36 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 under the authority of which these rules have been framed reads as under :—

36. *Power to make rules.*—(1) The State Government may make rules to carry out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the State Government shall have power to make rules—

(a) specifying the circumstances and the manner in which clearings for cultivation or for any other purpose shall be made under section 5.

(b) laying down the conditions and terms for payment of interim compensation,

(c) prescribing the form of application under section 10 and the form of statement of claim to be submitted under section 18 and the further particulars to be given therein,

(d) prescribing the form of, and the details to be incorporated in, the statement showing the amount of compensation due to the claimant under section 19,

(e) providing the manner for holding inquiries under this Act and for the service of orders and notices made and issued thereunder,

(f) prescribing court fees to be charged on applications and appeals under this Act, and

(g) providing for any matter which by any provision of this Act may be or is required to be prescribed or in respect of which, by any such provision, rules may be or are required to be made.

### CHAPTER I

#### Preliminary.

1. *Short title, extent and commencement.*—(1) These Rules may be called the Rajasthan Zamindari and Biswedari Abolition Rules, 1959.

(2) They shall extend to the whole of the State of Rajasthan.

(3) They shall come into force on the date on which the Act comes into force.

#### Notes

The rules came into force with effect from 1st November, 1959 vide Notification No. F. 1 (152) Rev. A/59 dated 21/10/59, published in Rajasthan Raj Patra, Part IV (c) dated 21/10/59. Relevant Notification is reproduced below :—

Jaipur, October 21, 1959.

**No. F. 1 (152) Rev. A/59.**—It is hereby notified for general information that by virtue of the provisions of sub-rule (3) of rule 1 of the Rajasthan Zamindari and Biswedari Abolition Rules, 1959, the said Rules shall come into force on the 1st of November, 1959, when the Rajasthan Zamindari and Biswedari Abolition Act, 1959 shall come into force.

**2. Interpretation.**—In these Rules, unless there is anything repugnant in the subject or context.—

(1) "the Act" means the Rajasthan Zamindari and Biswedari Abolition Act, 1959;

(2) "form" means a form appended to these rules;

(3) "intermediary" means a Zamindar or Biswedari whose estate is abolished in accordance with the provisions of the Act;

(4) "section" means a section of the Act.

## CHAPTER II

**Abolition of Zamindari and Biswedari estates.**

**3. Issue of proclamation by Collector and taking over charge.**—

Upon the issue of a notification under section 4 of the Act, the Collector shall—(a) issue a proclamation in form I (Form 1) and cause the same to be published in the village or villages in which the estate or estates to which the said notification pertains are situate—

(i) by pasting copies of the proclamation on the notice board of his court, on the notice board of the Tehsil and at some conspicuous place in or near each such village, and

(ii) if the Collector so directs, by beat of drum in each such village; and

(b) take over charge of the estate on behalf of the State Government.

After the commencement of the Act, the State Government is required, under sub-section (1) of section 4 of the Act, to appoint, by a notification in the official Gazette, "a date for the abolition and acquisition of zamindari and Biswedari estates etc.

Rule 3 requires the issue of proclamation by the Collector after the issue of notification referred to in sub-section (1) of section 4 of the Act. Relevant notifications are reproduced below : —

### ORDER

Jaipur, October 21, 1959.

**No. F. 1 (152) Rev. A/59.**—In order to facilitate the enforcement of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959), the State Government is hereby pleased to order that the Jagir Commissioner, Rajasthan, shall exercise over-all control over, and co-ordinate the work of, the Collectors. The Jagir Commissioner is hereby made responsible for seeing that the said Act is properly enforced and the abolition of the Zamindari and Biswedari estates is effected correctly and expeditiously in accordance with the provisions of the said Act and the Rajasthan Zamindari and Biswedari Abolition Rules, 1959. He will please issue detailed instructions to the Collectors concerned so that the proclamations required by rule 3 of the Rules are issued immediately on the publication of the Notification under section 4 of the Act for abolition and acquisition of the Zamindari and Biswedari estates, and that possession of such estates is properly taken over on behalf of the State Government.



All references to the State Government in connection with the implementation of the said Act and Rules shall be made through the Jagir Commissioner.

By Order of the Governor,  
RANDHIR SINGH,

*Deputy Secretary to Government*

REVENUE (A) DEPARTMENT  
NOTIFICATION

Jaipur; November 3, 1959.

*No. F. 1 (152) Rev./A/59.*—In exercise of the powers conferred by section 4 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959), the State Government hereby appoints the 15th day of November, 1959, as the date for the abolition and acquisition of all settled Zamindari and Biswedari estates throughout Rajasthan and for the vesting of all such estates in the State Government.

By Order of the Governor,  
R. K. CHATURVEDY,

*Secretary to the Government.*

REVENUE DEPARTMENT  
NOTIFICATION

Jaipur, December 28, 1959.

*No. F. 1 (152) Rev. A/59.*—In exercise of the powers conferred by section 4 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959), the State Government hereby appoints the fifteenth day of January, 1960 as the date for the abolition and acquisition of all zamindari and biswedari estates throughout Rajasthan, that have not been abolished and acquired in pursuance of Government notification of even number dated the 3rd November 1959. and for the vesting of all such estates in the State Government.

By Order of the Governor,  
R. K. CHATURVEDY,

*Secretary to the Government.*

4. *Fresh clearings for cultivation or for any other purpose.*—

After the issue of a notification under section 4 of the Act, fresh clearings for cultivation or for any other purpose may be made in any land included in the estate or estates to which the said notification pertains only with the previous permission of the State Government, to be obtained through the Collector, and in accordance with the terms and conditions on which the permission is accorded.

5. *Abatement of suit or proceeding by court or authority.*—

Every suit or proceeding, whether pending in the court of first instance or in appeal or on revision, stayed under clause (1) of sub-section (2) of section 5 of the Act shall be abated by the court or the authority before which it may be pending after giving notice to the parties and giving them an opportunity of being heard.

*Notes*

Clause (1) of sub-section (2) of section 5 of the Act requires that as a consequence of the abolition of Zamindari and Biswedari estates, such estates shall stand transferred to, and vest in, the State Government free from all encumbrances.

The present rule has been a subject of judicial finding vide 1960 I L. R. (Rajasthan) 636 where in it has been held that, "under rules 5 of the Rajasthan Zamindari and Biswedari Abolition Rules what abates is not merely the appeal or the revision in a suit or proceeding when the same may have been pending and stayed, but the entire suit or proceeding itself, at whatever stage it may be, that is, whether it may be pending in the court of the first instance or it may be at the stage of an appeal or a revision."

## Raj. Zamindari and Biswedari Abolition Rules, 1959

[ Rule 6-8

6. *Statement of Khudkasht land recorded as such and retained by intermediary under section 5 (4).*—Immediately on the issue of a proclamation under rule 3 and in any case not later than one month from the date of vesting, every intermediary whose estate is abolished shall submit to the Collector in form II (Form II) Part A, a statement of his khudkasht land recorded as such in the annual registers before the date of vesting which he wishes to retain in his possession in accordance with sub-section (4) of section 5 of the Act, as also a statement of tenancy lands held by him outside his estate, in part B of Form II.

## Notes

Sub-section (4) of section 5 of the Act entitles a Zamindar or Biswedari, subject to the provisions of section 29 of the Act, to continue to retain the possession of his khudkasht, recorded as such in the annual registers before the date of vesting.

7. *Statement of private properties.*—Immediately on the issue of a proclamation under rule 3 and in any case not later than one month from the date of vesting, every intermediary whose estate is abolished shall submit to the Collector a statement in form III (Form III) of the properties which he claims to be his private properties and which he wishes to continue to belong to and be held by him in accordance with the provisions of section 6 of the Act.

## Notes

Section 6 of the Act specifies following to be the private properties of a Zamindar or Biswedari :—

- (a) all house sites purchased by the Zamindar or Biswedari or by his predecessor in interest or by any other person for valuable consideration,
- (b) all places of worship or wells situated in such house-sites as are mentioned in clause (a) and in Khudkasht land belonging to and held by the Zamindar or Biswedari or any other person at the date of vesting,
- (c) all private houses and all nohras or enclosures attached thereto, provided that such nohras or enclosures are in continuous possession of the Zamindar or Biswedari since the first day of January, 1953,
- (d) all land covered by such places of worship, wells, houses and nohras or enclosures, and
- (e) all trees belonging to the Zamindar or Biswedari, or any other person and standing on house-sites mentioned in clause (a) and on Khudkasht land.

8. *Enquiry regarding khudkasht lands and private properties.*—

- (1) The Collector shall give to the intermediary a receipt for the statement of khudkasht lands and/or private properties submitted by the intermediary, and if the khudkasht lands and private properties appear to the Collector to be *prima facie* such to which the provisions of sub-section (4) of section 5 or sub-section (1) of section 6 of the Act, as the case may be, are applicable, the Collector shall desist from taking over possession or charge of the same till he passes orders under sub-rule (4).
- (2) The Collector, before he passes orders on these statements, shall publish the statements in the village or villages where the properties mentioned therein are situate and allow a month's time for the filing of objections, if any.
- (3) Copies of the statements shall also be sent to the Tehsil-dar, within whose jurisdiction the lands and properties are situate:—

(a) for being proclaimed, by beat of drum, in the village or villages where the lands and properties are situate;

(b) for being exhibited at some conspicuous place in the locality;

(c) for being pasted on the notice board of the Tehsil;

(d) for verification of each item in the statements with reference to the records maintained in the Tehsil and by necessary enquiries on the spot.

(4) If any objections are filed within the time limit allowed under sub-rule (2) or if the Tehsildar after verification reports that certain lands mentioned in the statement of khudkasht lands are not khudkasht lands, or that certain properties mentioned in the statement of private properties are not private properties of the intermediary, the Collector shall fix a date for holding an enquiry in the presence of the intermediary, or his duly authorised agent, objectors, if any and a representative of the State Government, who shall be an officer not below the rank of a Naib-Tehsildar, and after giving them an opportunity of producing evidence and of being heard, pass such orders as he deems proper about each item of the land and properties mentioned in the statement.

#### Notes.

This rule has been framed as required by the provisions of section 9 of the Act.

9. *Statement of Groves, Tanks, Ponds or Embankments.*—(1) Immediately on the issue of a proclamation under rule 3 and in any case not later than one month from the date of vesting, every intermediary whose estate is abolished shall submit to the Collector a statement in form IV (Form IV) of all groves, tanks, ponds and embankments, if any, clearly stating the terms and conditions on which these were held on the date of vesting.

(2) On receipt of such statement, the Collector shall, after giving an opportunity to the intermediary and any other person or persons interested, of being heard, decide the terms and conditions, not inconsistent with the provisions of the Act and of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955) and the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956) on which and the person or persons with whom, these shall be settled.

10. *Statement of transfers, agreements and contracts.*—(1) Immediately on the issue of a proclamation under rule 3 and in any case not later than one month from the date of vesting, every intermediary whose estate is abolished shall submit to the Collector in form V (Form V) a statement of (a) any such transfers as are referred to in sub-section (1) of section 7 of the Act made by him on or after the 1st of January 1953, and (b) any such agreement or contract referred to in sub-section (2) of the said section made by him on or after the aforesaid date.

(2) On receipt of the statements, the Collector shall, after hearing the intermediary as well as the transferee and other persons interested, decide whether any of the transfers was made not in good faith and in the normal course of management but in anticipation and acquisition of the Zamindari or Biswedari estate and the transfer should for that reason not be recognised for the purposes of the Act.

#### Notes.

Sub-section (1) of Section 7 of the Act provides that."—

(1) Notwithstanding anything contained in any law, no transfer of an estate or part thereof made by the Zamindar or Biswedari on or after the first day of January, 1953, by way of sale or gift or by making a grant or by way of lease for a non-agricultural purpose shall be recognised for any purpose of this Act and the estate or part so transferred shall be deemed to continue to vest in the transferor, if such transfer is established to have been made not in good faith and in the normal course of management but in anticipation of the abolition and acquisition of Zamindari and Biswedari estates:

Provided that nothing in this sub-section shall apply to any sale made under of a court in execution of a decree or order for payment of money.

### CHAPTER III.

#### Allotment of Khudkasht.

#### Notes

The rules under this chapter have been framed for putting into effect the requirements of sections 10, 11, 12 and 13 of the Act. Section 10 of the Act requires "Zamindar or Biswedari to apply for allotment of khudkasht." Section 11 of the Act requires the collector to hold an enquiry in the prescribed manner for the purpose of allotment of khudkasht. Section 12 prescribes the maximum area of khudkasht. Section 13 describes the categories of land that may be allotted as khudkasht.

11. *Application for allotment of khudkasht.*—An application by an intermediary for the allotment of land for khudkasht under section 10 of the Act shall be in form VI (form VI).

12. *Enquiry and disposal of application under rule 11.*—(1) On receipt of such application, the Collector shall, after verification of the particulars supplied by the intermediary by reference to the entries in the (1) record-of-rights prepared at the last record operations, and (2) annual registers of the basic year, and such other enquires as he may deem proper and giving the intermediary a reasonable opportunity of being heard, pass an order in writing according to the provisions of sub-section (1) of section 11 rejecting the application or allotting land for khudkasht.

(2) Allotment of lands in the Chambal and Rajasthan Canal Projects shall be made in consultation with the Director of Colonisation of the project concerned.

13. *Principles according to which rent to be charged on khudkasht land.*—In respect of land allotted as khudkasht under section 11:—

(a) where rent in respect of such land has been settled and the land is not situated within the Chambal or Rajasthan Canal Project, the rent payable by the intermediary shall be determined on the basis of the rent-rate sanctioned therefor during the last settlement; and

(b) where rent in respect of such land has not been settled, the rent shall be determined on the basis of the rent-rate sanctioned during the last settlement for similar land in the neighbourhood.

14. *Maximum area of Khudkasht.*—The maximum area of land to be allotted as khudkasht to an intermediary under section 11 together with any land already held by him or any member of his family as khudkasht before the date of vesting, shall not exceed two times the minimum area prescribed for the purposes of clause (a) of sub-section (2) of section 180 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955) (vide schedule at the end of rule 66 of the Rajasthan Tenancy (Government) Rules, 1955).

15. *Terms and conditions relating to land in Chambal and Rajasthan Canal Projects.*—Where the land is situated within the Chambal or Rajasthan Canal Project, the price of land which may be fixed and such other charges, including betterment fee, as may be payable along with such price shall be payable by the intermediary.

#### CHAPTER IV.

##### Assessment of compensation.

16. *Statement of claim for compensation.*—(1) The statement of claim for compensation to be filed under sub-section (1) of section 17 of the Act shall be in form VII (Form VII) and shall be in duplicate.

(2) It shall be signed by the intermediary himself:

Provided that the Collector may entertain a statement signed by any other person duly authorised by the intermediary if the Collector is satisfied that the intermediary was unable to sign it owing to a physical disability or any other sufficient reason.

(3) In addition to the particulars mentioned in sub-section (2) of section 17, the following details shall be given in the statement of claim, namely:—

(i) Agreements or contracts if any, made before the date of vesting whereby any rent, cess or sajar for any period after such date was paid to or compounded or released by the intermediary (vide clause (f) of sub-section (2) of section 5 of the Act), in form V A (Form V A).

(ii) All arrears of revenue, cesses and other dues in respect of any such estate due from the intermediary or his predecessor-in-interest for any period prior to the date of vesting (vide clause (g) *ibid*).

(iii) All loans advanced by the State Government or the Court of Wards to the intermediary or his predecessor-in-interest together with interest thereon, if any, and all arrears due on account of tax on agricultural income assessed under the Rajasthan Agricultural Income Tax Act, 1953 (Rajasthan Act No. 23 of 1953), or on account of any other tax, cess, rate, fee, duty, penalty or charge payable by the intermediary under any law for the time being in force for any period prior to the date of vesting (vide clause (h) *ibid*).

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- (iv) Khasra numbers and area of each plot held as khudkasht and recorded as such in the annual registers before the date of vesting which he wishes to retain under sub-section (4) of section 5 of the Act, whether cultivated personally or through tenants, if the statement in form II pertaining to the same has not already been submitted as required by rule 6.
- (v) Khasra numbers, area and the land revenue or rent payable on any land held by the intermediary as tenant in any village outside his estate in form II-part B.
- (vi) Properties of the nature specified in sub-section (1) of section 6 which he wishes to continue to be his private properties and which he wishes to belong to and be held by him, if the statement in form III pertaining to the same has not already been submitted as required by rule 7.
- (vii) Particulars of groves, tanks, ponds and embankments of the nature specified in sub-section (2) of section 6 of the Act which he wishes to continue to belong to and be held by him on the terms and conditions to be settled, if the statement in form IV pertaining to the same has not already been submitted as required by rule 9.
- (viii) Particulars of all transfers referred to in sub-section (1) of section 7 and of all agreements or contracts referred to in sub-section (2) of the said section made by the intermediary on or after the first of January, 1953 if the statement in form V pertaining to the same has not already been submitted as required by rule 10.

17. *Determination of compensation.*—(1) On receipt of a statement of claim under section 17 of the Act and rule 16 of these rules, the Collector shall—

- (a) verify the particulars given therein, in particular the name of the intermediary and the nature and the extent of his interest and names of his co-sharers, if any, and the extent of the share held by each of them in the estate, by a reference to the (1) khewat and khataunis and other constituents of the record-of-rights prepared at the last settlement, and (2) the annual registers for the basic year;

(b) publish, in accordance with the provisions of section 61 or the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956) a notice in form VIII (Form VIII, inviting objections, if any, and claims from co-sharers if any, and if any such objections are received, the Collector shall after giving an opportunity of being heard to the intermediary and the persons who have filed the objections or claims, pass orders thereon;

(2) see whether the income from rents in respect of lands in the occupation of tenants shown by the intermediary is in accordance with the provision of the Rajasthan Tenancy Act, 1955 (Rajasthan Act No. 3 of 1955) and the rules made thereunder or whether the

basis of rent or the amount of rent charged is in excess of the prescribed maxima;

(3) see whether the income from cesses shown by the intermediary accrued to him from cesses sanctioned or approved by the Government;

(4) see whether the income from grazing shown by the intermediary is in accordance with the sanctioned grazing charges, if any;

(5) see whether the income from sayar shown by the intermediary is in accordance with the provisions of law and in accordance with the entries in the record-of-rights, or the annual registers, and for this purpose the intermediary may be asked to produce any registers or records regularly maintained by him for the past three years and the Collector may make such enquiries as he deems fit;

(6) if the rents have not been agreed upon take action in accordance with clause 3 of the Schedule to the Act.

18. *Form of statement of compensation.*—The amount of compensation due to an intermediary shall be determined and recorded by the Collector in form IX (Form IX)

19. *Mode of making deduction under section 5 [3].*—(1) The Collector shall ascertain from the Tehsildar and from his own office as well as from other departments concerned, the total amount of arrears of land revenue, cesses and other dues such as a agricultural income tax, district board cess, etc., as well as the amount of loans advanced by the State Government or the Court of Wards, together with interest outstanding against the intermediary.

(2) For the purpose of determining the amount recoverable from the intermediary under sub-section (3) of section 5 of the Act, a notice shall be issued to the intermediary in form X (form X) calling upon him to pay the dues and debts within a period of one month from the date of the receipt of the notice or file objections, if any, within the said period.

(3) If the intermediary submits any objection in response to such notice, it shall be decided by the Collector within two months from the date of its receipt.

(4) On the receipt of the objection, or if no objection is received on the expiry of the period allowed therefor, the Collector shall issue a certificate in form XI (Form XI) specifying the dues and debts outstanding on the date of the certificate. Such certificate shall, in no case, enter the amount of dues or the rate of interest at a figure or a rate higher than that mentioned in the notice under sub-rule (2). Where an objection has been filed by an intermediary within the time, allowed for it, no decision shall be given unless the intermediary has been given a reasonable opportunity of showing cause against it

(5) On the issue of the certificate in Form XI, the Collector shall effect deduction of the amount as entered in the certificate from the compensation (including rehabilitation grant) as provided in sub-section (3) of section 5 of the Act.

(6) Where after the issue of one notice under sub-rule (2) a higher amount of the dues is found to be recoverable from the intermediary, the collector concerned shall issue immediately a supplementary notice to the intermediary, which shall also be in form X. Subsequent procedure with respect to the amount mentioned in the supplementary notice shall be governed by the provisions contained above in respect of the first notice.

**Notes:**

Rules 16, 17, 18 and 19 have been framed for putting into effect the requirements of section 17 of the Act which reads as under:—

(1) Every Zamindar or Biswedari who is divested of his estate by virtue of a notification issued under section 4 shall, within one year from the date of vesting, file a statement of his claim for compensation in the prescribed form before the Collector of the district in which such estate is situated:

Provided that a Zamindar or Biswedari may be allowed to file a statement of his claim after the expiry of one year on sufficient reasons being shown to the satisfaction of the Collector.

(2) Every such statement shall contain the following particulars, namely:—

(i) the name of the Zamindar or Biswedari and a description of his estate.

(ii) the extent of the share of each co-share where there are more co-

shares than one in the estate, along with the names and other particulars of all such co-sharers,

(iii) the amount of gross income of the estate from all sources specified in the Schedule together with details in relation to income from each such source,

(iv) the land revenue payable by the Zamindar or Biswedari, and

(v) such other particulars as may be prescribed.

(3) Every such statement shall be signed and verified in the manner prescribed in the Code of Civil Procedure, 1908 (Central Act 5 of 1908) for the signing and verification of plaints.

(4) Where the Zamindar or Biswedari relies on any documents (whether or not in his possession or power) as evidence in support of any particulars contained in such statement, he shall annex thereto a list of such documents.

20. *Manner of enquiry about guardianship of minor or person suffering from legal disability.*—For the purpose of ascertaining the person to whom payment of compensation due to a minor or a person suffering from legal disability is to be made under clause (b) of sub-section (4) of section 19, the enquiry referred to therein shall be made in the following manner:—

(a) The Collector within the local limits of whose jurisdiction the minor or the person suffering from legal disability resides shall fix a date and place for the enquiry and a notice thereof shall be served on such person or persons as appear to him to be the natural guardian or guardians of the minor or the person suffering from a legal disability;

(b) The notice shall be affixed on the notice board of such Collector's Court and also served individually on the persons concerned. It shall call upon all persons claiming to be the natural guardian of the minor or the person suffering from legal disability to appear at the enquiry;



(c) On the date and time appointed, or on any other date and time to which the Collector may adjourn the enquiry for sufficient reason, such Collector shall, after hearing such persons as appear, ascertain the person to be regarded as the natural guardian;

(d) Where such Collector does not make an application as provided in the proviso to clause (b) of sub-section (4) of section 19 of the Act to the District Judge and himself ascertains the name of the guardian, he shall make payment of the compensation money to the guardian so ascertained after one month of his order, subject to any orders to the contrary that he may receive in the meanwhile from any competent Civil Court.

#### Notes

This rule has been framed for the purposes of sub-section (4) of section 19 of the Act which provides that,—

(1) Where any amount is payable under this Act as aforesaid by way of compensation to a minor or a person suffering from a legal disability, then—

(a) if such minor or person is under the superintendence of the Court of Wards, the amount shall be paid to the Court of Wards, and

(b) in any other case, it shall be paid to the person found upon inquiry in the prescribed manner to be the guardian of such minor or person suffering from disability—

(i) according to the personal law by which he is governed, or

(ii) appointed by a competent court or authority:

Provided that, in cases in which the question of guardianship according to such personal law is in dispute, an application shall be made to the District Judge having jurisdiction to determine such question and to appoint a guardian of the minor or person under disability for the purposes of this section.

*21. Manner of enquiry on death of intermediary before payment of compensation.*—When an intermediary dies after the abolition of his estate and before the full payment of compensation is made to him, an enquiry shall be made under section 20 in the following manner in order to determine which person or persons shall be regarded as heir or heirs to the deceased intermediary for the purpose of payment of compensation:—

(a) The Collector within the local limits of whose jurisdiction the deceased person resided shall issue a notice calling upon all persons claiming to be the heir or heirs of the deceased intermediary to appear and prove their claims before the Collector on a date and at a time and place to be specified in the notice.

(b) The notice shall be served on all persons appearing to be entitled to payment of the whole or any part of the unpaid compensation that was payable to the deceased intermediary and shall be published in the Official Gazette.

(c) Subject to the proviso to section 20, such Collector shall, after hearing such persons as may appear before him on the date and at the time fixed for hearing, or on such date to which the hearing may be adjourned from time to time, determine the person or persons entitled to payment of the unpaid amount of the compensation that was payable to the deceased intermediary.

## Notes.

Section 20 of the Act requires that.—

If any person to whom any amount is payable under this Act by way of compensation dies before the full payment thereof, the balance remaining unpaid shall be payable to the person or persons found upon inquiry in the prescribed manner to be the heir or heirs of the deceased person according to the personal law by which the latter was governed:

Provided that, in cases in which the question of such heirship is in dispute, all claimants thereto shall be directed to have their respective title adjudicated upon by a competent civil court and the payment of such unpaid balance shall be in accordance with such adjudication.

22. *Conditions for payment of interim compensation.*—The following shall be the conditions subject to which interim compensation under section 16 of the Act may be ordered to be paid to an intermediary whose estate is abolished under the Act:—

(1) In the case referred to in the proviso to sub-section (1) of section 16 of the Act, the interim compensation shall not exceed one-tenth of the estimated amount of compensation.

(2) The amount of such interim compensation shall be paid in cash in one instalment.

(3) Out of each instalment so paid the intermediary shall pay to such co-sharers as are entitled to receive a share of the amount in proportion to the extent of the share as indicated by the Collector.

(4) The intermediary shall be required before the payment of interim compensation under section 16 to execute a bond, in *Form XII (Form XII)* without sureties, or if the Collector so directs with one surety, *form XII-A (Form XII-A)* promising to repay to Government:—

(i) the aggregate of all amounts received by him under that provision in case the amount finally determined as payable to him by way of compensation (including rehabilitation grant) after making all deductions there from permissible by the Act is nil; or

(ii) the difference between such aggregate and the amount of compensation finally determined:

(5) The intermediary will also be entitled to have a like bond taken by the Collector from the persons referred to in sub-rule (3) of this rule.

(6) If the amount paid as interim compensation exceeds the amount of compensation finally determined under the Act, such excess shall be refunded by the intermediary:—

(a) in a lump sum if it does not exceed one fourth of the annual instalment of compensation finally determined; and

(b) in two equal instalments in other cases.

(7) Nothing in sub-rule (1) shall be considered as debarring the Collector refusing to pay interim compensation where it appears to him that after providing for deductions under sub-section (3) of section 5 no amount may be payable to the intermediary on account of compensation and rehabilitation grant.

*Notes*

This rule has been framed on the authority of Section 16 of the Act reading as under:—

(1) Where, within a period of one year from the date of vesting of an estate, the compensation payable to the Zamindar or Biswedari is not determined, the State Government shall, subject to such conditions and restrictions as to security, indemnity, repayment or otherwise as may be prescribed, direct the payment to such Zamindar or Biswedari of interim compensation which shall be equal to one-tenth of the estimated amount of compensation;

Provided that, if such compensation is not determined within two years from the date of vesting, the State Government may likewise direct the periodical payment to the Zamindar or Biswedari of such fraction of the estimated amount of compensation by way of interim compensation until the final determination of compensation as the State Government may in each case specify.

(2) The interim compensation paid under sub-section (1) shall be deemed to be a part of, and shall be adjusted against, the total amount of compensation determined and payable under this Act.

**CHAPTER V.****Payment of Compensation.***Notes*

Rules in this Chapter have been framed as required by the provisions of Section 15 of the Act which reads as under:—

The compensation payable under this Act shall be given in cash or in bonds or partly in cash and partly in bonds, as may be prescribed.

**23. Cash when to be paid.**—(1) Subject to sub-rule (3), all such amounts as cannot be covered by bonds, shall be paid in cash.

(2) The amount payable in cash under this rule shall be rounded off to the nearest five naye paise.

(3) Where the total amount payable to an intermediary does not exceed rupees fifty, it shall be paid in cash in one lump sum. The amount of interest on cash payments shall also be paid in cash.

**24. Compensation in Bonds.**—Where the compensation is payable in bonds, it shall be given in the Rajasthan Zamindari and Biswedari Abolition Compensation Bonds.

**25. Denomination of the Bonds and interest.**—The bonds shall be issued in denominations of Rs. 50/-, Rs. 100/-, Rs. 200/-, Rs. 500/-, Rs. 1,000/-, Rs. 5000/-, Rs. 10,000/- and Rs. 25,000/- and shall bear simple interest at the rate of two and a half per cent per annum on the principal that has not become payable, calculated from the date of Vesting. No interest shall be payable on any amount of principal beyond the date on which its payment fell due even though the sum is not realised by the holder of the bond.

**26. Instalments.**—(1) The principal of the bond shall be paid in fifteen equal annual instalments, or in thirty equal half-yearly instalments, at the option of the intermediary, along with the interest then accrued due on the bond. The first annual payment shall become due on the expiry of one year from the date of vesting and the first half-yearly payment shall become due on the expiry of six months from such date:

Provided that any bond may be redeemed at an earlier date at the option of the Government.

(2) The annual and the half-yearly instalments shall fall due after the expiry of twelve calendar months and six calendar months, respectively, from the date of vesting,

27. *Interim compensation to be deducted.*—(1) The amount of interim compensation (including rehabilitation grant) paid to the intermediary since the date of vesting to the date of delivery on the bond shall be recouped from the total amount of compensation (including rehabilitation grant) and adjusted against the instalments thereof.

(2) Simple interest at two-and-a-half per cent, accrued on the interim compensation including rehabilitation grant) paid to the intermediary, shall be paid to him in cash immediately after delivery of the bond.

28. *When payable.*—The instalments due on a bond from the date of its enfacement shall be payable on presentation from and after the first date of the yearly or half-yearly instalment which falls next after the delivery of the bond to the intermediary:

Provided that if one or more instalments have already fallen due before the delivery of the bond, the interim compensation paid in cash be adjusted against such instalments and bonds shall be issued for the balance.

29. *Where payable.*—The instalments shall be payable at the treasury in Rajasthan at which the bond is enfaced for payment of the instalments.

30. *Redemption of Bonds.*—(1) In case the Government opts to redeem any class or classes of bonds before they are paid-up under rule 26 the Government shall decide what amount, if any, is available for the redemption of the bonds. They shall inform the Public Debt Office, New Delhi, of the amount and the class of bonds, if any, which are to be redeemed, not later than four months before the proposed date of redemption. The Public Debt Office, New Delhi, shall arrange, as soon as possible, for the drawing of lots and shall, on the completion of the draw, send a list of the bonds drawn and to be redeemed to the Finance Secretary to the Government of Rajasthan so as to reach him at least two months before the date of redemption. The list will show the names of the treasuries at which the bonds are enfaced. The Finance Secretary shall cause this list to be published in the Rajasthan Gazette and one or more important newspapers having their circulation in the area comprising the treasuries at which the bonds are enfaced and shall, at the same time, send a notice of discharge to the treasuries concerned and also to the Public Debt Office, New Delhi, not later than one month before the date of the redemption.

(2) In redeeming the bonds, priority shall ordinarily be given to the bonds held by the intermediaries to small amounts as compensation (including rehabilitation grant).

31. *Procedure for payment of bonds and discharge thereof.*—In the case of complete redemption of bonds, the procedure laid down in Chapter VIII of the Government Securities Manual for the payment of terminable loans shall be followed at the treasuries as regards the payment of the outstanding amount of the principal of the bonds. The discharge bonds shall, as in the case of other Rajasthan Government Securities, be forwarded to the Public Debt Office, New Delhi, through the Accountant-General, Rajasthan.

## CHAPTER VI

### Indent and distribution of Bonds

32. *Issue of Bonds*—The bonds shall be issued by the Public Debt Office, New Delhi, on a requisition made by the Collector of the district, and shall be transmitted by the Public Debt Office, New Delhi, to the Treasury Officer of the district indicated by the Collector in the indent for the purpose. The bonds shall be encased for payment of instalments at such treasury as may be indicated in the indent furnished by the Collector of the district.

33. *Indent for Bonds*—(1) After the amount of compensation (including rehabilitation grant) payable to an intermediary has been finally determined, and entries made in the registers in forms XVII and XVII-A (*Form XVII and XVII-A*) the Collector of the district, shall have an indent for bonds in form XIII (*Form XIII*) prepared in four copies, showing the denomination and number of bonds payable to each intermediary. The Collector of the district, or an officer duly empowered by him in this behalf, shall fill in columns 1 to 17 only and sign and seal each copy after satisfying himself that the entries have been correctly shown therein and shall enter in words in his own hand-writing the total value of bonds indented, both in the original and copies thereof. He shall despatch three copies to the Public Debt Office, New Delhi, for compliance and retain the original which shall be maintained in the form of a bond register, each page whereof shall be numbered. The copies shall be prepared on spare sheets of forms and each such copy shall bear the page number of the original form which it has been prepared.

(2) The Collector shall also maintain an abstract register of indents for bonds in form XIV (*Form XIV*).

34. *Indents not to be despatched after the 26th.*—The Collector shall not despatch any indent for bonds to the Public Debt Office, New Delhi, after the 26th day of a month.

35. *Consignment of Bonds.*—The Public Debt Office, New Delhi shall, on receipt of the indent in triplicate, retain one copy and forward the other two copies together with the consignment of bonds

indented to the Treasury Officer of the district to which the indent relates, after entering in columns 18 to 27 of the indent the particulars of the bonds issued.

36. *Intimation of despatch of Bonds.*—The Public Debt Office, New Delhi, shall also send an intimation of despatch of the consignment in Form XIII-A, induplicate (*Form XIII A*) to the Treasury Officer and a copy to the Collector of the district.

37. *Intimation of receipt of Bonds.*—Immediately on receipt of the consignment of bonds and the indent in duplicate, the Treasury Officer shall verify the content of the consignment of bonds filling in column 28 and signing in column 29 in both the copies against each entry and he shall send one copy to the Collector of the district, and keep the other copy in a guard file in the order of its receipt. (The duplicate copy of the advice received in Form XIII A shall be signed and returned to the Public Debt office, New Delhi as an acknowledgement for the bonds received)

#### Notes

Words "the third copy" have been substituted by the words "the other copy" and the words and figures appearing in brackets at the end of the rule have been added vide amending Notification No. F 1 (152) Rev. A/59 dated March 4, 1960, published in Rajasthan Raj-patra, part IV (c), dated 14/7/60.

38. *Bonds to be deposited in Double Lock.*—The Treasury Officer shall deposit the bonds so received in the Treasury double lock, and send an intimation to the Collector of the district of the receipt of the particular indent in the manner provided in rule 39. In case of non receipt of the indent in full, the Treasury Officer shall give intimation thereof to the Collector of the district who shall then correspond in the matter with the Public Debt Office, New Delhi.

39. *Entries of the Bonds: received and distributed.*—(1) The Collector of the district shall, on receipt of intimation in form XIII-A, enter the number and date of intimation, the number of bonds of each denomination and the total value thereof in the register in Form XIV (*Form XIV*). The Collector shall also enter in columns 18 to 28 of the register in form XIII, against each relevant entry, the serial number of the bonds received on the basis of the receipted indent from the Treasury in form XIII.

(2) The Collector of the district concerned shall keep the receipted-indent in form XIII to be received by him from the Treasury under rule 37 and also the advice of despatch to be received by him in form XIII-A under rule 36 in a guard file, and on the basis of these, shall cause necessary entries to be made in a register in form XIV to be maintained for the purpose by him.

(3) The Collector, or an officer duly authorised by him in this behalf, shall, on each day of the issue of the bonds, take the indent file in form XIII and draw on the basis of entries in the said file, such of the bonds as are to be issued on that date and sign the Treasury double lock register in Form XV (*Form XV*) in Part I

against each entry of issue and he shall also sign against each entry of issue in Part II of the same register. He shall not, under any circumstances, retain any undisposed of bonds overnight, or allow them to pass into the hands of an official. Where any bond is not disposed of during the day, it shall be re-deposited in the Treasury double lock the same day.

(4) A register shall be maintained in form XV in two parts in the Treasury where bonds are stocked. Part I shall be divided into separate portions for bonds of each denomination and the serial number of bonds received shall be entered in it immediately on receipt thereof and entries in columns 6 to 9 made on issue of the bonds to the Collector or in case of return to the Public Debt Office, New Delhi. In case a bond is re-deposited in the Treasury double lock, it shall again be entered in the columns for receipts. Entries in this register shall be made on each working day on which any bond was received or delivered or transmitted.

(5) The Collector shall maintain a register in Form XV-A (Form XV-A) and enter therein the particulars prescribed therein on each day on which bonds are withdrawn from the Treasury or deposited or re-deposited therein. The Collector shall sign all the entries for each day and the Treasury Officer's signatures shall be obtained against each entry of deposit of bonds in the Treasury.

40. *Verification of Stock*.—(1) The Collector of the district, or the Sub-Divisional Officer at the district head quarters if empowered in this behalf by the Collector, shall verify the stocks at the end of each month and record a certificate in his own handwriting in the said register Form XV (Form XV).

(2) On transfer of the Collector or the Sub-Divisional Officer, as the case may be, the officer taking over charge shall verify the stocks of bonds and record a certificate in his own handwriting in both parts of the register.

(3) On transfer of a Treasury Officer taking over charge shall verify the stocks of bonds and record a certificate in his own handwriting in both parts of the register in form XV to the following effect:—

"Verified and found correct."

41. *Calculation of interest*.—The Collector of the district, shall calculate simple interest at two and a-half per cent, per annum on the amount paid or to be paid in cash from the date of vesting to the date of determination of compensation (including rehabilitation grant) under the Act, or the date of payment whichever is earlier.

42. *Distribution of Bonds*.—(1) The Collector of the district in which the abolished estate is situated, shall issue a notification in Form XVI (Form XVI) directing the intermediaries to take delivery of bonds and/or receive payment in cash on a specified date, and post the notification on the notice board of his office. If such

intermediary/intermediaries fail to run up in compliance with the notification on the date specified therein, he shall issue a notice in *Form XVI-A* (*Form XVI-A*). On the date so fixed, the Collector shall deliver the bonds and/or make payment in cash through voucher in *Form XX* (*Form XX*) to the intermediary/intermediaries or his /their duly authorised agent/agents and take signatures in token of receipt in the voucher and/or on *Form XXI* (*Form XXI*) as the case may be. The receipt in *Form XXI* (*Form XXI*) shall be filed along with the claim of the intermediary.

(2) When final order determining the compensation is issued under section 18 of the Act on a date subsequent to the issue of the notification mentioned under sub-rule (1), notice in duplicate in *Form XVI-A* (*Form XVI-A*) shall be issued by the Collector, one copy of which shall be handed over to the intermediary and the other copy duly signed by him, shall be kept for record.

(3) If the notice or notification has been duly made and the intermediary does not appear either in person or through a duly authorised agent to receive the bonds and three years have elapsed from the date for which the notice or notification was made, the bonds shall be returned to the Public Debt Office, New Delhi, by the Treasury Officer along with schedule in *Form XIX* (*Form XIX*) on the receipt of advice from the Collector or any officer appointed to function on his behalf under sub-rule (4).

(4) In case the Collector ceases to function as the distributing authority for the bonds before the expiry of the said period, the undelivered bonds shall be transferred to the custody of the officer authorised by the Government in this behalf. The latter shall then perform all the duties laid down herein for the Collector.

(5) In case any bond remains unclaimed for three year from the date fixed for delivery, the schedule in *form XIX* shall be prepared in triplicate by the Treasury Officer and copies along with the unclaimed bonds shall be transmitted to the Public Debt Office, New Delhi, which shall, after verification, return one copy duly acknowledged to the Treasury Officer and send one copy to the Collector of the district.

(6) Where bonds are returned to the Public Debt Office, New Delhi, under sub-rule (3), an entry in respect of the same shall be made by the Collector, in the register in *form XIII* in the remarks column on the basis of the acknowledgement from the Public Debt Office, New Delhi; in *form XIX* and the serial number of the bonds shall be entered in the register in *form XVII-A* and entries made also in columns 19 and 20 of the said register. On receipt of a knowledge from the Public Debt Office, New Delhi, entries shall also be made in columns 21 to 23 of the register in *form XVII-A*. Similar entries in *form XIII* shall be made by the Collector, on receipt of the acknowledgment from the Public Debt Office, New Delhi.



## CHAPTER VII

### Payment of cash and Bonds.

43. *Procedure for payment in cash*—Payment in cash under rule 23 shall be made through vouchers in *form XX (Form XX)*. The books containing vouchers and counter foils shall be kept in the personal custody of the Collector who shall, before commencing use of a book of vouchers, send intimation to the Treasury Officer in *Form XX-A (Form XX-A)*. The vouchers shall be sent to the Accountant-General, Rajasthan, through the Treasury Officer.

44. *Account to be rendered by the Treasury Officer*.—The Treasury Officer shall furnish in *form XVIII (Form XVIII)* to the Collector of the district concerned an account of the vouchers presented and encashed on each day of payment, and the Collector shall, on its receipt, fill in entries in column 23 of the register in *form XVIII*. The statements in *Form XVII* shall be kept in a guard file in the serial order of receipt. Where no payments are made on any day, the Treasury Officer shall despatch a blank statement in *form XVIII-A (Form XVIII A)* to the Commissioner of the division at the end of each month. He shall also consolidate the statements so received in *form XVIII* from the Treasury in *form XVIII B (Form XVIII-B)* in triplicate, all the three copies whereof shall be sent to the Treasury Officer for verification of the totals from the Treasury records. The Treasury Officer shall verify the figures from his registers, and note the verified amount on the triplicate copies of the statement in *form XVIII-B* under his dated signatures and return two copies to the Collector who shall then send one copy to the Accountant-General, Rajasthan, by the 20th of each month and transmit one copy to the Commissioner of the division by the 20th of each month. In case there is any difference between the Treasury and departmental figures, the Collector shall institute an enquiry at once and report the result to the Commissioner of the division.

## CHAPTER VIII

### Miscellaneous.

45. *Manner of holding enquiries under section 9*.—All enquiries under the Act shall, unless otherwise specifically provided therein or in these rules, be conducted—

(a) in contested cases in the manner provided by law for the trial of a suit in a revenue court; and

(b) in other cases in the manner provided by law for the trial of an application by a revenue court.

46. *Manner of service of summons and notices and issue of proclamation*—(1) Except as otherwise provided in these rules, all summons and notices shall be served and proclamations issued in accordance with the procedure laid down in sections 59, 60 and 61 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956).

(2) Notice to Government shall be served on the Revenue Secretary to the Government in the manner provided for the service of summons on a defendant in a suit under the Code of Civil Procedure, 1908 (Central Act V of 1908).

47. *Period of limitation for review.*—The period of limitation for an application for review under section 26 shall be ninety days from the date of the order sought to be reviewed.

48. *Court fee.*—The Court fee payable on all applications and appeals under the Act shall be the same as is provided for the time being for applications and appeals presented to a revenue court, and process fees shall be payable in respect of notices issued under the Act as if they were processes issued by a revenue court.

49. *Inspections and copies*—Inspection of all documents, statements and registers maintained under the Act, or under these rules, shall be allowed on application to the Collector, or the Sub-Divisional Officer or the Tehsildar, as the case may be, during office hours in working days on payment of the court fees as are prescribed for inspection of revenue records, statements and registers maintained by the Collector under the rules in force for the time being.

(2) Copies of such documents, statements and registers may be issued under the orders of the Collector or the Sub-Divisional Officer or the Tehsildar, as the case may be, on payment of the same fees as are prescribed for the issue of copies of the revenue records, registers and statements maintained by the Collector under the rules in force for the time being.

50. *Manner of entering upon land or building for purposes of enquiry under the Act.*—An officer or authority holding an enquiry under the Act shall, before entering upon any land or building in the estate of an intermediary, do so in accordance with the provision contained in the proviso to section 52 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956).

### FORM 1

(See Rule 3)

#### Form of Proclamation.

I, ..... Collector of ..... district, do hereby declare for the information of all persons possessing or claiming any right, title or interest in the land that, by virtue of notification No. .... dated ..... issued by the Rajasthan Government under section 4 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959), all zamindari and biswedari estates to which the notification applies shall, as from ..... (date) the date of vesting, stand transferred to, and vest in, the State Government, free from all encumbrances, and I shall, on the date aforesaid, take charge of those estates on behalf of the State Government.

Know all men, therefore, that, as from the date aforesaid, all rights, titles and interests of the Zamindars or Biswedars and of every other person claiming through them in such estate, including and (cultivable, waste or barren), groveland, grass land, or birs, scrub jungle, forests, trees, fisheries, hills, wells, tanks, ponds, water courses and channels, ferries, pathways, village sites, abadi sites, hats, bazars, melas and mela grounds and in all sub-soil therein including rights, if any, in quarries and mines, whether being worked or not, and in all minerals and mineral products, shall cease and be vested in the State Government, free from all encumbrances, for the purposes of the State, and every mortgage, debt or charge on any such right, title or interest shall be a charge on the amount of compensation payable to the Zamindar or Bisweddar under the Act; and all the other consequences specified in section 5 of the Act shall follow. So, with effect from the date of vesting all rents and cesses in respect of any holding in such estate for any period after the date of vesting which, but for such vesting, would have been payable to the Zamindar or Bisweddar, shall vest in, and be payable to, the State Government and not to the Zamindar or Bisweddar, and any payment made in contravention thereof shall not be a valid discharge of the person liable to pay the same.

Signature.

Seal of the Collector.

Date.....

## FORM II

## Part A.

(See Rule 6)

Statement of Khudkasht lands held under sub-section (4) of section 5 of Rajasthan Act 8 of 1959

1. Name of Zamindar/Bisweddar with parentage, age and address of..... (Village), Tehsil..... District.....

2. Name and description of Estate.....

Village.....

Tehsil.....

District.....

3. Date of vesting.....

4. Particulars of khudkasht land held:—

(1) Name of villages (s) in which khudkasht land is situated with name of Tehsil (s).

(2) No. (s) of Khata khatauni.

(3) Khasra Nos.

(4) Area in acres.

(5) Soil-class, according to current settlement.

(6) Land Revenue payable in respect of the khudkasht land.

(7) Year from which recorded as khudkasht.

(8) Particulars of order or authority for according as khudkasht.

(9) Whether cultivated personally by the Zamindar/Bisweddar or by tenants; and, if the latter, name and parentage of tenant; year from which in possession; and rent payable by the tenant to the Zamindar/Bisweddar.

I, solemnly verify that the above particulars are correct to the best of my knowledge and belief; that I have stated the truth and have not suppressed or concealed any fact; and that I do not hold any other khudkasht land which I have not shown in the above statement.

*Witness.*

*Date.*

*Signature*

## FORM II (Contd.)

### Part B

(See Rule 6)

Statements of Tenancy lands held by Zamindars/Biswedars

Statement of Tenancy lands held by.....Zamindar/Bisweddar, S/o.....resident of.....  
(Village), Tehsil.....District.....

*Particulars of land held by the Zamindar/Bisweddar as tenant in any village outside his estate.*

Name of village (s)	Khasra No.	Area.	Soil Class.	Rent.	Name of landholder.
---------------------	------------	-------	-------------	-------	---------------------

*Signature.*

I solemnly verify that the above particulars are true to the best of my knowledge and belief; that I have stated the truth and have not suppressed or concealed any fact and that I do not hold any other tenancy land which I have not shown in the above statement.

*Witness.*

*Date.*

*Signature.*

## FORM III

## Part I

( See Rule 7 )

## Statement of Private Properties.

Statement of properties claimed as private u/s 6 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 by.....Zamindar/Biswedar.

Name of Zamindar/Biswedar with parentage, age and address.	Name and description of estate. . .	Date of vesting.	Particulars of villages in which property situated.				
			Name (s) of Tehsil. District. Khewat No. in village (s)	No.	which situated.		

## FORM III (contd)

## Part II.

House-sites, Places of Worship, Nohras etc.

- Full description of pro- (1) House-sites purchased by the Zamindar/Bisweddar or by his predecessor-in-interest or by any other person for valuable consideration; year and date of purchase; name and address of vendor; price paid; No. and date and other particulars of registered documents, if any; period for which in continuous possession (certified copies of title-deeds and other documents to be attached).
- (2) Places of worship which particulars such as mosque, temple, Gurdwara (with name of deity in the case of temple) and where situated:
- (3) Wells situated in house-sites and in Khud-kasht land belonging to and held by the Zamindar/Bisweddar or any other person on the date of vesting:
- (4) Private houses Nohras and enclosures attached, thereto, proof of their being in continuous possession of the Zamindar/Bisweddar since 1st January, 1953.
- (5) Situation, dimensions boundaries, etc. of land covered by places of worship, wells, houses, Nohras or enclosures.
- (6) Nos. and particulars of trees claimed as belonging to Zamindar/Bisweddar or any other person standing on houses sites or on khudkasht land.

Date

Signature

## FORM IV

(See rule 9)

## Statement of Groves, Tanks, Ponds and Embankments.

## Part I—Groves.

Name of village with name of Tehsil in which the grove is situated.	No.	Area of Khasra of gulars of trees. of grove.	Parti- Nature of trees.	Year in which first recorded as grove.	Terms and conditions on which grove was held on the date of vesting	Whether any portion of the land included in the grove is cultivated.	If so, particulars of cultivation during the past three years i. e. area under cultiva- tion, crop grown and rent paid.		
1	2	3	4	5	6	7	8	9	10

## FORM IV [Contd]

## Part II

Tanks, ponds and embankments, situated on kudkasht land or on any other land not being a village-site and in which no other person has got any right of irrigation.

- (1) Name of village with name of Tehsil.
- (2) Khasra No. in which situated.
- (3) Particulars of tank, pond, embankments.
- (4) Khasra nos. of land irrigated together with area.
- (5) Land revenue payable in respect of the area.
- (6) Other terms and conditions on which held on the date of vesting.

I solemnly verify that the particulars given above are correct to the best of my knowledge and belief; that I have stated the truth and have not suppressed or concealed any fact; and I hereby accept the terms and conditions on which the groves tanks ponds and embankments shall be deemed to be settled with me.

Signature

Date.

Witness,

## FORM V

(See Rule 10)

Statement of transfers referred to in section 7(1) of Rajasthan Act No. 8 of 1959

1. Full name of Zamindar/Biswedari with parentage, age and full address.
2. Name and description of estate with name of village (s) in which estate is situated, Khewat Nos. and Khasra Nos.
3. Date of vesting.

## Part A

Particulars of all transfers of estate or part of estate made on or after 1st January, 1953, by way of (1) sale or (2) gift or (3) by making a grant or (4) by way of lease for a non-agricultural purpose:—

1. Name, parentage and address of transferee.
2. Full details transferred such as Khasra No., area, boundaries, rental value.
3. Terms and conditions of transfers.

## Part B

Particulars of agreements or contracts referred to in section (2) of Rajasthan Act No. 8 of 1959.

(I) Lease or contract of forest for period exceeding three years.

1. Name or particulars of forest.
2. Name, parentage and address of lessee or contractor.
3. Area, etc.
4. Consideration received.

(II) Agreements or contracts relieving tenants from liability for payment of rent.



1. Name, parentage and address of tenant.
2. Particulars of land;  
Khasra No., area, soil, class and rent.
3. Particulars of contract.
4. Amount received by Zamindar/Biswedar.

I solemnly verify that the particulars given above are correct to the best of my knowledge and belief; that I have stated the truth and have not suppressed or concealed any fact and that there are no other transfers, contracts or leases which I have not disclosed.

*Signature*

*Date.*

*Witness.*

## FORM V-A

[See Rule 16 (3) (1)]

Statement of Agreements or made by.....Zamindar/  
Biswedar, S/o.....resident of.....before the date of  
vesting viz.,.....(date), whereby rents, cess or sayar for any  
period after such date was paid to or compounded or released by the  
intermediary.

1. Name and description of estate.
2. Name of tenant with parentage and residence.
3. Particulars of holding viz., name of village,  
Khasra No., area, soil-class.
4. Particulars of agreement or contract with date.
5. Amount received.
6. Remarks.

I solemnly verify that the above particulars are correct to the best of my knowledge and belief and that I have stated the truth and have not suppressed or concealed any fact.

*Witness.*

*Date.*

*Signature.*

FORM VI  
(See Rule 11)

APPLICATION FOR ALLOTMENT OF LAND FOR  
PERSONAL CULTIVATION AS KHUDKASHT.

To

The Collector,  
.....District.

Sir,

My Zamindari/Biswedari estate situated in village... ..  
Tehsil .....district.....has, in consequence of notification  
No .. ..dated..... issued by the Rajasthan  
Government under section 4 of the Rajasthan Zamindari and  
Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959) vested  
in the State Government with effect from .....(date).

2. I do not hold any khudkasht land\*/I hold khudkasht land  
as per details given in Form II, Part A, appended to this application  
\*/already submitted on .....(date)/I also hold tenancy land  
as per details given in form II, Part B, appended to this application  
\*/already submitted on .....(date) and as the land already held  
by me as khudkasht is less in area than the area specified in section  
12 of the said Act, I hereby apply under section 10 of the Act, for  
the allotment of land to me for personal cultivation as khudkasht.

3. The necessary particulars are given below:—

- (1) Full name of the Zamindar/Biswedari with parentage,  
age and residence.
- (2) Description of the estate—Name of village with name  
of Tehsil, Khewat No., Khasra No. Area.
- (3) Date of vesting of the estate.
- (4) Particulars of land required—Name of village with  
name of Tehsil; Khasra Nos. or name of fields with  
boundaries, Area soil-class, sanctioned rent-rate.
- (5) whether land falls under clauses (i), (ii), (iii), (iv), or  
(v) as mentioned in sub section (1) of section 13 of  
the Act.

4. I hereby undertake to cultivate the land personally and to  
accept the terms and conditions on which the land may be allotted  
and to pay the price, betterment charges and any other charges paya-  
ble in the case of land falling under category (v) mentioned in sub-  
section (1) of section 13 of the Act.

I solemnly verify that the statements made in the above appli-  
cation are true to the best of my knowledge and belief and that I  
have stated the truth and have not suppressed or concealed any fact.

Signature

Witness.

Date.

---

\*Strike out whichever is inapplicable.

## FORM VII

(See Rule 16)

Statement of claim for compensation u/s 17 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959.

Full Name of Zamindar/ Biswedari (Applicant)	Name and description of the estate together with name of village (s) in which estate is situated.	2	3	4	5	6	Date of filing claim.
1							7

Part A  
Particulars of co-sharers

Names of the co-sharers with parentage and ages and full addresses.	Extent of the share of each co-sharer.	Other necessary particulars.
1	2	3

FORM VII (Contd.)  
PART B  
Gross Income

A—Income from rents in respect of lands under the occupation of tenants not being tenants of Khudkasht or sub-tenants (Sub-clause (a) of clause 2 of the Schedule).

Name, parentage and address of tenant with class of tenancy viz., Khatedar or Ghair Khatedar.	Particulars of holdings		Instalments of rents with date of instalment.		How was rent fixed and whether part (1) of clause 3 or part (2) of the same clause of the Schedule to the Act is applicable.
	Khasra No.	Area	Soil Class.	Total rent payable for the basic year.	
1	2	3	4	5	6 7

B. Income from cesses in the nature of rent referred to in clause (a) of sub-section (2) of section 173 of the Rajasthan Land Revenue Act, 1956, payable and paid by or on behalf of such tenants. (Sub-clause (b) of clause 2 of the Schedule).

Nomenclature or nature of cess.	How was the cess fixed and whether part (2) or clause 3 of the Schedule to the Act is applicable.		Name, parentage and address of tenant.		Particular of holding	
	Method of levy.	Rate payable for the basic year.			Khasra No.	Area. Soil class.
1	2	3			4	5 6 7 8

(Form VII Continued)

C. Income from grazing dues from lands other than Khudkasht and Shamlat Deh lands calculated on the basis of average yield for ten years immediately preceding the basic year (Sub-clause (c) of clause 2 of the Schedule).

Particulars of land from which grazing dues accrued.				Rate of grazing charges and other particulars.	Year.										Total for 10 years.	Average per year.
Name of village.	No.	Khasra No.	Area.		1948-49	1949-50	1950-51	1951-52	1952-53	1953-54	1954-55	1955-56	1956-57	1957-58		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

D. Income from Sayar in respect of lands in the estate other than Khudkasht and Shamlat Deh lands calculated on the same basis as income from grazing dues (Sub-clause (d) of clause 2 of the Schedule).

Particulars of land from which Sayar income accrued.				Rate and other particulars of Sayar income.	Year.										Total for 10 years.	Average per year.
Name of village.	No.	Khasra No.	Area.		1948-49	1949-50	1950-51	1951-52	1952-53	1953-54	1954-55	1955-56	1956-57	1957-58		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

## FORM VII (Contd)

## Part c.

## Dues and Deductions.

(1) Land Revenue payable for the basic year by the Zamindar/Biswadar (Applicant) in respect of :—

(i) My Khudkasht—

(a) Khewat No. (b) Khasra Nos. (c) Area (d) Land Revenue.

(ii) Shamlat Deh lands—

(a) Khewat No. (b) Khasra No. (c) Area (d) Land Revenue.

(2) Agricultural Income Tax, District Board Cess, other taxes, cesses, rates, fees, duties penalties charged and payable or paid for the basic year.

(i) Particulars (ii) Year (iii) Amount (iv) Total.

(3) Amount paid in advance to the applicant on account of compounding or releasing of any rent, cess or sayar in pursuance of agreement or contract made before the date of vesting (clause (f) of sub-section (2) of section 5 of the Act).

(i) Particulars (ii) Year (iii) Amount (iv) Total.

(4) Arrears of revenue, cess and other dues in respect of the estate due from the Zamindar/Biswadar (Applicant) or his predecessor-in-interest for any period prior to the date of vesting (clause (g) of sub-section (2) of section 5 of the Act).

(i) Particulars (ii) Year (iii) Amount (iv) Total.

(5) Loans advanced by the State Government or Court of Wards to the applicant or his predecessor-in-interest together with interest thereon, if any, and arrears due from applicant on account of tax on agricultural income, or any other tax, cess, rate, fee, duty, penalty payable by applicant or his predecessor-in-interest under any law for any period prior to the date of vesting (clause (h) of sub-section (2) of section 5 of the Act).

(i) Particulars (ii) Year (iii) Amount (iv) Total.

## Part d.

## Other Particulars.

(1) Statement of agreements or contracts regarding compounding or release of rents, cess or sayar (section 5 (2) (f) in form V-A attached).

(2) Statement of land claimed as Khudkasht under sub-section (4) of section 5 of the Act.

Separate statement attached &/statement already submitted on ..... (date).

(3) Statement of properties claimed as private u/s 6—

Separate statement attached &/statement already submitted on ..... (date).

(4) Statement of (i) Groves (ii) Tanks, ponds and embankments referred to in sub-section (2) of section 6 of the Act.—

Separate statement attached\*/statement already submitted on  
.....(date).

Signature

I solemnly verify that the statements made in the above application are true to the best of my knowledge and belief and that I have stated the truth and I have not suppressed or concealed any fact.

Signature  
Date

Witness

### FORM VIII

[See Rule 17 (1) (b)]

Notice inviting objections and claims.

Whereas Shri .. S/o .. resident of .....  
Tehsil..... District .....who claims to be the Zamindar/  
Biswedari of ..... estate... which estate has vested in the  
State Government by virtue of a notification issued under section 4  
of the Rajasthan Zamindari and Biswedari Abolition Act, 1959  
(Rajasthan Act No. 8 of 1959) has, on.....filed a claim for compe-  
nsation in accordance with Section 17 of the Act, notice is hereby  
given as required by rule 17 (1) (b) of the Rajasthan Zamindari and  
Biswedari Abolition Rules 1959 that any person interested may, on  
application, see the said claim in my office during office hours on  
any working day and any objections in regard to the claim for com-  
pensation or in regard to any item of properties claimed as private or  
land claimed as Khudkasht or any claim by co-sharers to a share of  
the compensation may be filed within thirty days of the publication  
of this notice.

Take notice that if no objections or claims are filed within the  
aforesaid period the undersigned will pass suitable orders.

Collector.....

Seal.

Dated.....

### FORM IX

(See Rule 18)

#### Statement of Determination of Compensation

Name of District.	Name of Tehsil.	Name of village.	Name and description of estate.
1	2	3	4
<hr/>			
Date of vesting.	Basic year.	Name of Zamindar/Biswedari.	
5	6	7	
<hr/>			
<hr/>			

\*Strike out whichever is inapplicable.

Part I.  
INCOME

S.No.	Particulars.	Amount	Remarks.
1.	Income of the Zamindar/Bisweddar for the basic year in respect of land in the occupation of tenants not being tenants of khudkasht or sub-tenants (Sub-clause (a) of clause 2 of the schedule)— (i) According to sanctioned rent-rates and as agreed upon— (ii) Not agreed upon but determined in accordance with part (1) of clause 3 of the Schedule— (iii) Determined in accordance with part (2) of clause 3 of the Schedule.	Total of (i) (ii) and (iii)	
2.	Income of the Zamindar/Bisweddar for the basic year from cesses in the nature of rents referred to in clause (a) of section 173 of Rajasthan Act 15 of 1956 payable and paid by or on behalf of tenants not being tenants of khudkasht or sub-tenants (sub-clause (b) of clause 2 of schedule).		
3.	Income of the Zamindar/Bisweddar for the basic year from grazing dues from lands other than Khudkasht and Shamlat Deh lands calculated on the basis of average yield for ten years immediately preceding the basic year (sub-clause (c) of clause 2 of the schedule). (a) Year (b) Amount (c) Total for 10 years (d) Average per year.		
4.	Income of the Zamindar/Bisweddar for the basic year from sayar in respect of lands in the estate other than Khudkasht and Shamlat Deh lands calculated on the same basis as income from grazing dues (sub-clause (d) of clause 2 of the Schedule). (a) Year (b) Amount (c) Total for 10 years (d) Average per year.		
5.	Grand total of gross income for basic year determined under clause 2 of Schedule:	Totals of 1,2,3 and 4.	

Part II.

Details of land revenue, taxes and other deductions to be made—

- A. (i) Total land revenue payable by the Zamindar/Bisweddar for the basic year in respect of the whole estate excluding Khudkasht and Shamlat Deh lands.



(ii) Agricultural Income—Tax for the basic year in respect of whole estate excluding Khudkasht and Shamlat Deh lands. ....

(iii) District Board cess	-do-	.....
(iv) ..... (Name) cess	-do-	.....
(v) ..... (Name) Fee	-do-	.....
(vi) .... (Name) Rate	-do-	.....
(vii) ..... (Name) Duty	-do-	.....
(viii) ..... (Name) Penalty	-do-	.....
(ix) ..... (Name) Charge.	-do-	.....

Total of A .....

B. Administrative charges at 10% of the gross income determined under clause 2 of the Schedule (Sl. No. 5 of Part I).

Total of B .....

C. Net income determined under clause 4 of the schedule (Total of Gross income minus total of A and B above).

D. Amount of rent, cess or sayar for any period after date of vesting paid to or compounded or released by the Zamindar/Bisweddar and recoverable from him under sub-section (3) of section 5 of the Act.

Particulars.	Year.	Amount.	Total.
--------------	-------	---------	--------

E. Arrears of land revenue, cesses and other duties in respect of abolished estate due from Zamindar/Bisweddar or his predecessor-in-interest for period. ....  
(to be filled up) prior to date of vesting under sub-section (3) of section 5 of the Act.

Particulars.	Year.	Amount.	Total.
--------------	-------	---------	--------

F. Amount of loans advanced by State Government or the Court of Wards to the Zamindar/Bisweddar or his predecessor-in-interest together with interest thereon and arrears due on account of tax on agricultural income or any other tax, cess, rate, fee, duty or charge due from Zamindar/Bisweddar or his predecessor-in-interest under sub-section (3) of section 5 of the Act.

Particulars.	Year.	Amount.	Total.
--------------	-------	---------	--------

G. Grand total of deductions to be made.....

### Part III

#### Compensation payable

Under Part (1) of clause 5 of the Schedule—

- (1) Under sub-clause (a) of Part (1) of clause 5—  
7 times net income in respect of land in the occupation of tenants not being tenants of Khudkasht or sub-tenants (Item C of Part II) .....
  - (2) At 25% of land revenue payable by the Zamindar/Biswedari for the basic year in respect of Khudkasht land .....
  - (3) At 25% of land revenue payable by the Zamindar/Biswedari for the basic year in respect of Shamlat Deh lands .....
  - (4) Total amount of compensation under part (1) of clause 5 of the schedule .....
- Under Part (2) of clause 5 of the Schedule—
- (5) Total amount of land revenue payable by the Zamindar/Biswedari .....
  - (6) Multiple applied .....
  - (7) Amount of rehabilitation grant under Part (2) of clause 5 of the schedule .....
  - (8) Total amount of compensation including rehabilitation grant [Total of (4) and (7)] .....
  - (9) Date from which payable viz., the date of vesting .....
  - (10) Deduct interim compensation already paid .....
  - (11) Other deductions to be made as per items D, E and F of Part II .....
  - (12) Balance .....

### Part IV.

#### Details of co sharers.

(Sub-section (3) of section 18 of the Act.)

Name.	Parentage.	Age.	Residence.	Extent of share.	Amount
1	2	3	4	5	6

### Part V

#### Details of superior and inferior rights.

(Sub-section (5) of section 18 of the Act)

Names and particulars of superior right holders.	Names and particulars of inferior right holders.	Proportion in which profits were shared by the holders of such superior and inferior rights.
1	2	3

Share of net amount of compensation payable to superior right holders.

Share of net amount of compensation payable to inferior right holders.

Part VI  
Particulars of instalments.

---

Whether payable in 15 equal instalments or 30 equal half yearly instalments.	Amount of instalments.	Date of instalments.	Form/Cash or bonds or partly in cash or partly in bonds.
1	2	3	4

---



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Part VII

Minors and persons suffering from legal disability.

---

Whether compensation payable is due to a minor or person suffering from a legal disability (sub-section (4) of section 19).	Whether such minor or such per- son is under the superintendence of the Court of wards and if so whether the amount is to be paid to the Court of Wards
1	2

---



---

In any other case, name and particulars of persons found by enquiry under the rules to be guardian of such minor or such person :—

According to personal law.

Appointed by competent authority,

## FORM IX (Contd.)

## Part VIII

Details of the land in the estate which has vested in the State (sub-section (1) of section 18 of the Act.)

Name of village. Tehsil.	Whether whole village or part.	If part, Khewat No.	Area	Soil class	Sanctioned rent rates.	Rent payable to Govt. in future.	Rent payable by the intermediary in respect of khudkasht land under section 29 (1)	Rent payable by tenants to Govt. under section 30 (1)
1	2	3	4	5	6	7	8	9
							10	11

## Part IX

Details of private properties (Section 5 (4) and section 6) (A)

Name of village.	Khewat No.	Area.	Soil Class.	Land revenue payable therefor.	Date of vesting.	Rent payable from the date of vesting.
1	2	3	4	5	6	7
						8

Form IX, Part IX (Continued)  
(B)

Private properties allowed to continue to belong to and be held by the Zamindar or Biswedari or any other person at the date of vesting under section 6.(1) of the Act.

1	2	3	4	5	6	7	8
House-sites.	Places of worship.	Wells situated in house-sites or Khudkasht land.	Private houses.	Nohras.	Enclosures attached to Nohras and private houses.	Lands covered by places of worship, wells, houses, Nohras or enclosures.	Trees belonging to Zamindar/Biswedari or any other person standing on house-sites and on khudkasht land

## Form IX Part IX (Contd.)

( C )

Groves (sub-section (2) of section 6 of the Act).

Name of village in which situated.	Khewat No.	Khasra No.	Area.	Terms and conditions on which held on the date of vesting.
1	2	3	4	5

Terms and conditions on which to be deemed to  
be settled with ..... (Name).

( D )

Tanks, ponds and embankments belonging to and held by the  
Zamindar or Biswedari or any other person allowed to continue  
to belong to and be held by Zamindar/Biswedari or any other  
person (sub-section (2) of section 6 of the Act).

Situated in Khudkasht land or any other land not being village-site.	In which no other person has any right of irrigation.
1	2

Name of village,  
Khasra No.  
Other particulars.

Name of village;  
Khasra No.  
Other particulars.

*Form IX (Continued.)*

Terms and conditions on which to be  
deemed to be settled with.....(Name)

Beds of tanks, ponds or embankments  
under personal cultivation of the  
Zamindar/Biswedari or any other  
person and the terms and conditions  
on which to be deemed to be settled  
with.....(Name)

Name of village,  
Khasra No.  
Other particulars.

Part X.  
( A )

Transfers of estate made by Zamindar/Biswedari on or after  
1st January, 1953 by way of sale or gift or by making a grant or by  
way of lease for a non-agricultural purpose not recognised for the  
purposes of the Act (vide sub-section (1) of section 7 of the Act).

(Details to be given).

( B )

Particulars of agreements or contracts made by a Zamindar/  
Biswedari with any person on or after 1st January, 1953.

(a) Relating to or granting a lease of any forest for a period  
exceeding three years.

(b) Relieving any tenant from liability from payment of rent  
for any land comprised in his holding.

regarded as null and void under sub-section (2) of section 7 of  
the Act.

(Particulars to be given).

Part XI.

Remarks.

Seal.

Collector.....  
Date.....

## Form No. X.

[See Rule 19 (2)].

Notice for payment of dues and debts outstanding against  
the Zamindar/Bisweddar.

No.....

Dated.....

From,  
The Collector,  
To,

.....

Zamindar/Bisweddar of.....

An amount of Rs. .... inclusive of interest up to..... is due from you to the Government of Rajasthan, as per details given in the attached statement. Since the Zamindari Biswedari of which you are a Zamindar/Bisweddar has been abolished or is going to be abolished and the said outstanding is recoverable from you under sub-section (3) of section 5 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959) from the amount of compensation (including rehabilitation grant) payable to you, you are hereby informed under rule 19 (2) of the Rajasthan Zamindari and Biswedari Abolition Rules, 1959, that you should pay up the said amount within a period of one month from the receipt of this notice. In case the amount of the outstanding is not accepted by you, you should please file your objections in my office, either in person or through your authorised representative, along with necessary proof in support thereof, within the said period. In case no objections are received from you within the said period, it shall be presumed that the said outstanding is acceptable to you and a certificate will be issued to deduct from the amount of compensation payable to you, the amount of this outstanding less any amount that may have been received in the mean time from you in part payment thereof and any objection raised by you after the said period will not be considered valid. It is also stated for your information that in case the amount payable to you an account of compensation falls short of the amount of this outstanding, you will still be liable to pay the remainder and that, until the whole outstanding is fully and finally settled, the interest due thereon shall continue to accrue.

Signature.....

Designation.....

Seal.

Accompt.—Statement as above.



## Form No. XI.

[See Rule 19 (4)]

Certificate for recovery of dues and debts outstanding  
against Zamindars/Biswedars.

No.....

Date.....195 .

This is to certify that Shri.....S/o Shri.....  
Caste.....resident of.....who is the Zamindar/  
Biswedar of ..... Tehsil.....-District. ....  
.....owed to the Rajasthan Government.....on.....  
a sum of Rs..... inclusive of interest on account of.....  
For the discharge of this outstanding the said Shri.....  
was served with a notice dated . . . . . under Rule 19 (2) of the  
Rajasthan Zamindari and Biswedari Abolition Rules, 1959, but  
either on account of no objections having been filed by the said  
debtor during the period of the notice, or on account of the objec-  
tions having been decided against him or on account of part pay-  
ment by the debt or a sum of Rs..... (in words.....  
.....) the details of which are given in the accompanying  
list, now remains outstanding against him. Since the estate of which  
Shri..... is Zamindar/Biswedar has been abolished or is  
going to be abolished, and the said outstanding can be recovered out  
of the amount of compensation (including rehabilitation grant)  
payable of the said debtor under section 14 of the Rajasthan Zamin-  
dari and Biswedari Abolition Act, 1959, therefore this certificate is  
issued that the said amount of Rs . . . . . together with the  
amount of interest which will accrue thereon as detailed in the  
accompanying list should be recovered from the said debtor, Zamin-  
dar/Biswedar, Shri . . . . . S/o.. . . .  
of ..... from the amount of compensation (including rehabili-  
tation grant) payable to him. Until the whole of the outstanding  
has been fully and finally settled, the interest due thereon will  
continue to accrue and in case the amount payable to the said  
debtor on account of or out of the compensation falls short of the  
outstanding the said debtor shall continue to be liable for the pay-  
ment of the remainder.

Issued under my hand and seal dated.....

Signature.....

Designation.....

Seal

Accompt.—Statement as above.

## FORM XII

[See Rule 22 (4)]

## Part A.

## Form of Bond for Intermediary.

Know all men by these presents that I.....  
 S/o .....resident of .....bound to the Governor  
 of Rajasthan in the sum of Rs. .... (in words) .....  
 to be paid to the said Governor, his successors or assigns for which  
 payment will and truly be made I bind myself and my heirs, execu-  
 tors, administrators and representatives;

Whereas the Government of Rajasthan (hereinafter described  
 as 'the Government') have paid to the said .....an amount  
 of Rs. .... as interim compensation in lieu of the extinction  
 of my rights, title and interest as a Zamindar/Biswedari in.....  
 (estate) Khewat No.....Village.....Tehsil.....  
 District.....

And whereas in pursuance of the rules for the payment of  
 interim compensation under the Rajasthan Zamindari and Biswedari  
 Abolition Act, 1959, (Rajasthan Act No. 8 of 1959) the Zamindar  
 or Biswedari receiving interim compensation is required to execute  
 a bond for the amount paid to him as interim compensation and to  
 undertake to repay the amount or part thereof as follows:—

If the amount paid as interim compensation exceeds the  
 amount of compensation finally determined under the Act, in a  
 lump sum if the payment made does not exceed one-fourth of the  
 annual instalment of compensation finally determined and in two  
 equal instalments in other cases; and the aggregate of all amounts  
 received under the said provision in case the amount of compensa-  
 tion (including rehabilitation grant) after making all deductions  
 therefrom is nil;

Now the condition of the above written bond is that if the  
 final award of compensation is made in favour of the said.....  
 for Rs.....or over or if the said.....refunds the  
 amount found due from him, the above written bond will become  
 void and shall be of no effect but otherwise the same shall be and  
 remain in full force and effect;

And these presents also witness that until the said sum of Rs..... or any part thereof due as aforesaid is paid or the final award of compensation is made for its .. or over in favour of the said..... the property described in the schedule hereto shall remain hypothecated and mortgaged as security to the said Governor for the repayment of the said sum of Rs..... and it shall be lawful for the Governor subject to the provisions of section 69 of the Transfer of Property Act, or other corresponding enactment for the time being in force, to sell without the intervention of any court and without any further consent of the said..... or his heirs, successors or assigns the property described in the schedule hereto either by public auction or by private contract with power to make such condition respecting title or evidence of title or as to the payment of the purchase money or otherwise as the said Governor thinks fit, and buy in the same or any part thereof and to rescind or vary any contract of sale and resell the same when sold without being answerable for any loss, to convey the same when sold as the purchaser or purchasers shall direct and to apply the sale proceeds towards repayment of the moneys payable to the said Governor including all costs, charges and expenses. If as a result of the exercise of the powers of the said Governor under this clause, any surplus is left after satisfaction of all the claims of the said Governor against the said ..... including all costs, charges and expenses, then such surplus shall be paid to the said .....

In witness to the above written bound and to all the terms and conditions hereinbefore contained I have hereunto set my hand this.....day of .....19 ..

Signed in the presence of.....and of .....  
Witness.

1. Signature.....Date.....
2. Signature.....Date.....

SCHEDULE.

## FORM XII-A

[See Rule 22 (4)]

## Form of Bond for Sureties.

Know all men by these presents that I.....(surety) of .....of..... is held firmly bound to the Governor of Rajasthan in the sum of Rs ..... to be paid to the said Governor, his successors or assigns for which payment will and truly be made I bind myself and my heirs, executors, administrators and representatives;

Whereas the Government of Rajasthan (hereinafter called as "the Government") have paid to Shri..... an amount of Rs ..... as interim compensation for extinction of the rights, title and interest as intermediary of the said Shri ..... in estate..... khewat khata..... Village. .... Tehsil..... District .....

And whereas in pursuance of the rules for the payment of interim compensation under the Rajasthan Zamindari and Biswedari Abolition Act, 1959, (Rajasthan Act No. 8 of 1959) the Zamindar/Biswedari receiving interim compensation is required to execute a bond for the amount paid to him as interim compensation and also to furnish if so required one surety for the repayment of the said amount or any part thereof in case final order for award of compensation does not allow the said intermediary any compensation or the whole of the amount paid to him

Now the condition of the above written bond is that if the final award of compensation in favour of the said Shri..... is for Rs ..... or over or if the said ..... refunds the amount found due from him, the above written bond will become void and of no effect but otherwise the same shall be and remain in full force and effect;

And these Presents also witness that in pursuance of the aforesaid agreement and for the consideration aforesaid and security for the payment to the Governor of the said sum of Rs ..... or any part thereof in accordance with the terms and conditions hereof the said ..... (surety) hereby transfers to the Governor, all the property described in the Schedule hereto to the interest that the same will remain and be charged by way of simple mortgage as security for the payment to the Governor of the said sum of Rs ..... and the said.....(surety) hereby covenants with the Governor that the said property is free from encumbrances. And that for the purpose of recovering the said sum of Rs ..... or any such

lesser sum as may from time to time become due under the above written bond, the Governor or any officer of the Government duly authorised in this behalf may from time to time as occasion shall require without the intervention of any court sell the property or any part thereof or take the rents and profits thereof for his own use until he shall have thereby or otherwise recovered such sum as aforesaid.

Provided always and it is hereby agreed and declared that the said surety shall not be at liberty to terminate his suretyship except upon giving to the Government six calendar months' notice in writing of his intention to do so and his liability under this bond shall continue in respect of all omissions and defaults on the part of the said surety until the expiration of the said period of six months.

In witness to the above written bond and to all the terms and conditions hereinbefore contained I have hereunto set my hand this ..day of.....19 ..

Signed by.....(surety) in presence of.....and of  
.....Witness.

1. Signature ..... Date.....

2. Signature.....Date.....

## SCHEDULE

FORM XIII  
(See Rules 33, 35 and 37)  
Office of the Collector ..... Rajasthan.  
Indent for Rajasthan Zamindari and Biswedari Abolition Compensation Bonds bearing yearly, half-yearly instalment cags.  
Indent Number .....  
District.....  
N. B.—Separate indents should be prepared for bonds bearing yearly and half-yearly instalment cags.

Sl. No.	Name of Zamindar or Biswedari parentage and resi-dence.	Status whether Zamindar/ or Co-sharer.	Date of vesting No. of estate.	Claim of No. Register in Form	Sl. No. of Register in Form	Number of bonds of each denomination required.										Total value of bonds issued by Public Debt Office.	Date of receipt.	Signature of Treasury Officer.	Remarks.
						Rs. 50	Rs. 100	Rs. 200	Rs. 500	Rs. 1000	Rs. 5000	Rs. 10000	Rs. 25000						
1	2	3	4	5	5A	6	7	8	9	10	11	12	13	14	15				
Total value of bonds to be receipted of bonds enfacd in bonds for pay-ment Office.																			
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30					
Total value of bonds indented rupees.....in words and in hand of the Collector.																			

Form XIII (Contd.)

No .....

Date.....19 .

Forwarded to the Manager, Reserve Bank of India, Public Debt Office, New Delhi for compliance.

Date .....

Collector District.

No .....

Date.....19 .

Forwarded to the Treasury Officer,.....after completion of entries in columns 18 to 27 together with consignment of bonds requisitioned as per advice No.....dated .....in Form No. XIII-A.

Manager.

Reserve Bank of India,  
Public Debt Office, New Delhi.

No.....

Date.....19 .

Copy forwarded to Collector,.....after verification of

receipt.

Treasury Officer.

Date.....

FORM No. XIII-A  
(See Rules 36 and 39)  
Intimation of Despatch of Bonds

From  
The Manager,  
Reserve Bank of India,  
Public Debt Office,  
New Delhi,  
To

*The Treasury Officer,  
District.....  
No.....*

A consignment of Rajasthan Zamindari and Biswedari Abolition Compensation B. Nos. 19 which are as follows has been despatched to you on.....

Serial No. of	Amount	Date
1	2	3
4	5	6
7	8	9
10	11	12
13	14	15
16	17	18
19	20	21
22	23	24
25	26	27
28	29	30
31	32	33
34	35	36
37	38	39
40	41	42
43	44	45
46	47	48
49	50	51
52	53	54
55	56	57
58	59	60
61	62	63
64	65	66
67	68	69
70	71	72
73	74	75
76	77	78
79	80	81
82	83	84
85	86	87
88	89	90
91	92	93
94	95	96
97	98	99
100	101	102

Date.....19

as follows has been despatched to you on.....													Date.....19				
Serial No. of bonds of each denomination despatched.													Total Instalment payable Yearly/ Half-yearly.		No. of packets, parcels or boxes despatched.		
Indenting Officer.	District.	Indent No.	Date of Indent.	Rs.	50	100	200	500	1000	5000	10000	25000	Value of bonds.	Yearly/ Half-yearly.	13	13-A	14
1	2	3	4	5	6	7	8	9	10	11	12						

Manager,  
Reserve Bank of India,  
Public Debt Office, New Delhi.



Form No. XIII-A (Contd.)

No.....

Date.....

Copy forwarded to the Collector,....., for information and necessary action.

Manager,  
Reserve Bank of India,  
Public Debt Office, New Delhi.

Received the bonds as above.

Date.....

Treasury Officer,  
District.

## FORM XIV

(See Rules 33 (2) and 39)

Office of the Collector, District.....Rajasthan.

Abstract Register of Indents and Receipts of Rajasthan Zamindari and Biswedari Abolition Compensation Bonds.

District.....

Number and date Indent.	Pages Nos. of Indent.	Number of bonds of each denomination indented.										Total value of bonds indented.	Instalment payable Yearly/Half-Yearly.	Signature of the Collector.	Date of receipt of Intimation from the Public Debt Office in Form XIII-A.	Date of receipt of Intimation from treasury in Form No. XIII-A.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.					
1	2	3	4	5	6	7	8	9	10	11	11-A	12	13	14		
		50	100	200	500	1000	5000	10000	25000							

Number of bonds of each denomination entered in the Intimation of Despatch by the Public Debt Office.										Total value of bonds supplied.	Instalment payable Yearly/ Half-Yearly.	Signature of Collector.	Remarks.
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.				
50	100	200	500	1000	5000	10000	25000						
15	16	17	18	19	20	21	22	23	23-A	24	25		

FORM XV

Part I

[See Rules 39 (3) and 39(4)]

Treasury Double Lock Stock Register of Rajasthan Zamindari and Biswedari Atolition  
Compensation Bonds.

Treasury.....District.....Denomination.....Instalment payable Yearly

Half-yearly.....in words.....

From		Serial		Total		Signature		Date		To		Serial		Total		Signature		Remarks.	
Date of		whom		No. of		of		of		whom		No. of		No. of		of		Treasury	
receipt.		received.		bonds.		pieces.		Treasury		issue.		bonds.		pieces		Collector.		Officer.	
								Officer.											
1	2	3	4	5	6	7	8	9	10	11	12								

## Form XV (Contd.)

## Part II

[See Rules 39 (3) and 39 (4)]

Treasury Double Lock Stock Register of Rajasthan Zamindari and Biswedari Abolition Compensation Bonds,

Treasury.....

Instalment payable Yearly/Half-yearly.

District.....

Details From whom

of  
received or  
to whom

Denominations.

Signature of  
Treasury  
Officer.

Remarks.

Rs. 50 100 200 500 1000 5000 10000 25000

1 2 3

4

5

6

7

8

9

10

11

12

13

14

1. Opening  
Balance.

2. Receipts.

3. Total.

4. Issues.

[See Rule 39 (5)]

Office of the Collector, District.....Rajasthan.

Abstract Register of Issue and Deposit of Rajasthan Zamindari and Biswedari Abolition Compensation Bonds.

Instalment payable Yearly/Half-yearly.

Date.	Details of Transaction.	Pieces of each denomination.										Signature of Collector.	Signature of Treasury Officer.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
		50	100	200	500	1000	5000	10000	25000				
1	2	3	4	5	6	7	8	9	10			11	12

1. Number of bonds withdrawn from Treasury.

2. Number of bonds distributed.

3. Balance.

4. Number of bonds returned to the Treasury.

## FORM XVI

(See Rule 42)

## Notification for payment of Rajasthan Zamindari and Biswedari Abolition Compensation Grant.

In the Court of the Collector, District..... Final order in respect of the claims of compensation (including rehabilitation grant) of the following estates/co-sharers having been made, they are hereby informed to take delivery of Rajasthan Zamindari and Biswedari Abolition Compensation Bonds and/or receive payment in cash in my Court at.....on.....day of .....19 during office hours.

Given under my hand and the seal of the Court this.....day of.....19 .

Collector.....

District.....

Seal of Court.

Serial No.	Claim No.	Name and description of Estate.	Tehsil.	District.	Name of claimant with parentage.		Status whether Zamindar/ Biswedari or Co-sharer.		Remarks.
1	2	3	4	5	6		7		8

FORM XVI A

(In duplicate)

[ See Rules 42 (1) and 42 (2) ]

IN THE COURT OF THE COLLECTOR, DISTRICT.... ..,  
RAJASTHAN

Notice for payment of Rajasthan Zamindari and Biswedari Abolition Compensation Grant.

To

Shri.....

Zamindar, Biswedari/Co-sharer,

Estate.....Tehsil ..... District.....

Claim No.....

WHEREAS the net amount of compensation (including rehabilitation grant) payable to you in respect of the above noted estate has been determined to be Rs..... and is payable to you in bonds of the amount of Rs.....and in cash of the amount of Rs..... notice is hereby given to you to appear personally, or through an agent duly authorised to receive the same, in my court on..... day of..... 19 .

Given under my hand and the seal of the Court this..... day of .....19 .

Collector,.....

District... ..

Seal of the Court.

## District .....

S. No.	Name of description of estate.	Name of claimant with parentage and address.	Status, whether Zamin-dar/Bis-wedar or co-sharer.	Claim No.	Date Amount of provision-vesting pension (including reh. grant).	Interim compensation (including reh. grant paid).	Amount finally determined under section 18.	Dated of determination.				
1	2	3	4	5	6	7	8	9	10	11	12	13

Arrears Total amount recoverable to be deducted from final compensation and reh. grant 14 including Total 8 & 14. reh. grant	Net amount payable	Interest on the amount of col. 12 ment. minus col. 17.	Total cash pay- ment. voucher for cash in Trea- sury.	Date and No. of voucher payment.	Date of encash- ment of Trea- sury.	In case of payment in bonds serial number of Register of Bonds in Form No. XVII-A	Sig- nature of Collec- tor	Remarks.			
14 15	16	17	18	19	20	21	22	23	24	25	26



## FORM No XVII-A

[ See Rules 33 and 42(6) ]

Office of the Collector District.....Rajasthan.

District wise Register of Rajasthan Zamindari and Biswedari Abolition Compensation Bonds.  
District .....

Sl. No. of Register in Form No XVII.	Date of vesting estate.	Name & description of estate.	Name of owner or parent with address in Tehsil.	Status, whether Zamindar, Biswedari or co-sharer.	Amount of compensation (including rehabilitation grant) payable in bonds for (column 18 of Form N.XVII.)	Serial number	
						Rs.	Rs.
1	2	3	4	5	6	7	8
						9	10
							11

## and denomination of bonds issued.

Rs. Rs. Rs. Rs. Rs.					Total value of bonds.	Date of delivery of bonds.	Signature of Collector to Zamindar or Biswedari.	In case bonds not delivered No. & date of despatch of bonds to public Debt Officer.	No. and date of acknowledgment by Public Collector.	Signature of Collector	Remarks.	
200	500	1000	5000	10000	25000	Rs.						
12	13	14	15	16	17	18	19	20	21	22	23	24

FORM No. XVIII.  
(See Rule 44)

Daily statement of Rajasthan Zamindari and Biswedari Abolition Compensation Grant Cash Vouchers encashed

Form

The Treasury Officer,  
Treasury.....

To

The Collector,

District .....

No..... Date.....

Date of encash-ment	Book & Serial No	Claim No.	Amount paid.	Name of claimant with paren- tage and address.	Status whe- ther Zami- dar/Biswe- dar or co-sharer.	Name and discription of estate.	Tehsil.	R e m a r k s.
1	2	3	4	5	6	7	8	9

Signature.....

Treasury Officer

Date....

## FORM XVIII-A

(See Rule 44)

Office of the Collector, District.....Rajasthan.

Monthly Statement of Payment of Rajasthan Zamindari and  
Biswedari Abolition Compensation Grant in Cash.

District.....

Month.....

Year . ....

Total value of vouchers in Form No. XX issued.		Total amount encashed		Remarks.
1		2		3
Rs.	nP.	Rs.	nP.	

Collector.....

Date .....

**FORM XVIII-B**  
(See Rule 44)

Office of the Collector, District ..... Rajasthan.

Consolidated Monthly Statement of Payment of Rajasthan Zamindari and Biswedari Abolition Compensation Grant in cash and/or by Adjustment.

Year .....

Month... ..

District .....		Month... ..		Status, whether Claim		Amount paid		Total	
Sl. No.	Name and description of Estate.	Tehsil.	Name of claimant with parentage and address.	Zamindar, Biswedari or co-sharer.	No.	paid in cash.	by transfer credit.	Amount paid.	Remarks.
1	2	3	4	5	6	7	8	9	10.

Signature of Collector .....

Date .....

Verified subject to following remarks :—

Treasury Officer .....

Date .....

FORM XIX

[See Rules 42 (3) and 42 (5)]

Schedule of return of unclaimed Rajasthan Zamindari and Biswedari Abolition Compensation Bonds.

To

The Manager,  
Reserve Bank of India.  
Public Debt Office, New Delhi.

No..... .. Dated the..... .. 19 ..  
The undermentioned undelivered Rajasthan Zamindari and Biswedari Compensation Bonds are here-  
with forwarded to you for deposit, as these have remained unclaimed for three years. Kindly acknowledge  
receipt

Serial No. of bonds of each denomination.						Total No. of bonds.	Total value of bonds in rupees.	Remarks.
Rs. 50	100	200	500	1,000	5,000	10,000	25,000	
1	2	3	4	5	6	7	8	9
								10
								11

Treasury officer..... ..

Received the bond specified above.

Manager,  
Reserve Bank of India,  
Public Debt Office, New Delhi.

Dated the..... ..

Copy forwarded to the Collector, ..... Rajasthan.

Manager,  
Reserve Bank of India,  
Public Debt Office, New Delhi.

Dated the..... ..

# Vouchers for Payment of Rajasthan Zamindari and Biswedari Abolition Compensation Grant.

FORM XX

(See Rules 42 and 43)

Book No. Voucher No. Book No. Head of Service chargeable Major Head Voucher No

Name, parentage and residence of the claimant. Minor Head  
Status, whether Zamindar, Biswedari or co-sharer Detailed Head  
Compensation paid in respect of Voucher No  
Claim No ..... Name and description of estate Received this ..... of list of payment  
Tehsil ..... District ..... The sum of Rs ..... day of ..... 19  
Serial No of column of Register in Form No. XVII. amount due to me as compensation (including the  
Amount payable in cash Rs ..... titation grant) in respect of the following estate.

Raj. Zamindari and Biswedari Abolition Rules, 1959

Name, parentage and address of the claimant  
Status, whether Zamindar, Biswedari or co-sharer  
claim No ..... Estate  
Tehsil ..... District  
Serial No ..... in Register in Form No. XVII.

Signature of Collector.

Approved for Rs ..... (in words) Rupees  
Signature of the Collector. Claimant Zamindar/Biswedari's Signature & address.  
Date ..... only.

Pay in cash Rs ..... (in words) Rupees  
Signature of Siyah Navis  
Date .....

Signature of the Treasury officer  
Date .....

Form 20  
Received voucher.  
Signature of Recipient.

## FORM XX-A

(See Rule 43)

Intimation to Treasury Officer regarding the use of  
Rajasthan Zamindari and Biswedari Abolition  
Compensation Bonds Vouchers Books.

Intimation No.....

Dated.....

From

The Collector,  
District.....

To

The Treasury Officer,  
.....

This is to intimate that I have brought into use Book No.....  
containing voucher Nos. 1 to 100 and only vouchers of which  
intimation has been sent to you already should be encashed.

Please acknowledge receipt of this intimation.

Collector .....

Date.....

## FORM XXI

(See Rule 42 (1))

Receipt for Rajasthan Zamindari and Biswedari  
Abolition Compensation Bonds.

Tehsil ..... District.....

Received this day the undermentioned Rajasthan Zamindari  
and Biswedari Abolition Compensation Bonds in respect of the follo-  
wing estates:—

Claim No.....

Denomination and serial number of bonds.

Rs. 50	100	200	500	1,000	5,000	10,000	25,000
1	2	3	4	5	6	7	8

Being of the total value of Rs.....(in words) .....

Name with parentage and address of the claimant.....

Name and description of Estate.... Tehsil ..... District .....

Status, whether Zamindar, Biswedari or Co-sharer.....

Signature of attesting witness with parentage and address.....

.....

Signature of the Claimant/  
Zamindar / Biswedari

Date .....

Date.....

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

# RAJ. ZAMINDARI AND BISWEDARI ABOLITION RULES, 1959

Revenue 'A' Department

Notification

Jaipur, December 18, 1962.

*No. Flg. (84) Rev./A/62.*—In exercise of the powers conferred by section 36 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act 8 of 1959), the State Government hereby makes the following further amendments to the Rajasthan Zamindari and Biswedari Abolition Rules, 1959, as originally published under this Department Notification No. F.1 (152) Rev./A/59, dated the 8th April, 1959, in Part IV-C of the Rajasthan Gazette, Extraordinary, dated the 25th *idem*, namely :—

## AMENDMENTS

In the said rules—

in sub-rule [3] of rule 23—

- (i) after the words, 'lump sum' occurring at the end of the first sentence, the words 'or by book adjustment by being credited towards the land revenue or rent payable by the intermediary in respect of his Khudkast land of which he has become a Malik under section 29 of the Act shall be added ; and
- (ii) after the words 'in cash' occurring at the end of the second sentence, the words 'or by adjustment as above' shall be inserted.

By Order of the Governor,  
R. K. Chaturvedy,  
Secretary to the Government.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 1-3-63 Page 731]

*Notification No. F. 1 (152) Rev. A/59-II*—In exercise of the powers conferred by section 36 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act 8 of 1959) the State Government hereby makes the following amendments in the Rajasthan Zamindari and Biswedari Abolition Rules, 1959, as originally published under this Department's Notification No. F. 1 [152] Rev. A/59, dated the 8th April, 1959, in Part IV-C of the Rajasthan Gazette dated the 25th *idem*, namely :—



## AMENDMENTS.

In the said Rules :—

after rule 42, the following new rules shall be added, namely:

**42-A. *Distribution of Bonds through Tehsildars.***—The Jagir Commissioner or the Collector may, by a special or general order, authorise the distribution of bonds through the Tehsildar-in-charge of Tehsil upto such maximum value of bonds payable to an individual Zamindar or Biswedari as may be specified in such order.

**42-B. *Drawing up of List of Persons.***—(1) When a Tehsildar has been so authorised, the Collector, or his authorised nominee, shall draw up a list of persons to whom bonds are to be delivered through the Tehsildars, showing the full address of the Zamindars and Biswedars and the numbers and denominations of bonds and amount in cash payable in each case.

(2) A copy of this list, in triplicate, shall be sent to the Treasury Officer :

Provided that bonds that have been attached by a competent authority shall not be included in this list upto the amount of such attachment.

**42-C. *Treasury Officer to send Bonds to Tehsildars.***—On receipt of the list, the Treasury Officer shall draw the bonds entered therein from the double lock and send them, along with two copies of the list, to the Tehsildar concerned in the same manner as the bonds are despatched by the Public Debt Office.

**42-D. *Bonds to be entered in Register and deposited in Double Lock.***—(1) On receipt of the bonds, the Tehsildar shall enter the bonds in a register maintained in Form No. 17-A and deposit them in the double lock chest of his sub-treasury. He shall return one copy of the list received by him with an acknowledgement of receipt of the bonds.

(2) The receipt, issue and verification of bonds in the sub-treasury shall be made in accordance with the provisions of rules 37 and 38.

**42-E. *Issue Notice to Zamindar and Biswedari and sending of Vouchers in Forms 20 and 20-A to Treasury Officer.***—(1) The Tehsildar shall issue notice to the Zamindar and Biswedari for taking delivery of bonds and cash on an appointed date at least two weeks after the date of issue of such notice. The notice shall be in Forms 16 and 16-A.

[2] On the very date of issue of such notice, he shall also forward, for the amount payable in cash a voucher in Forms 20

and 20-A to the Treasury Officer duly completed but without the signature of the claimant Zamindar and Biswedari.

**42-F. Return of Voucher by Treasury Officer.**—The Treasury Officer, shall, within one week of receipt of the voucher, return the same to the Tehsildar, duly passed, for disbursement of the amount.

**42-G. Distribution of Bonds and Vouchers.**—[1] On the appearance of the payee on the appointed date, the bonds shall be disbursed after obtaining a receipt in duplicate in Form 21. Such receipt shall be attested by the officer delivering the bonds. One of such receipt shall be got stamped. This shall be sent to the Collector or Assistant Collector, Zamindari and Biswedari, as the case may be, the duplicate unstamped register shall be kept by the Tehsildar in a file for audit purpose.

[2] The signature of the claimant shall be obtained on the voucher for payment of cash after affixing of Revenue stamp by him wherever necessary. The voucher duly attested by the Tehsildar shall then be delivered to the claimant Zamindar and Biswedari for obtaining payment.

**42-H. Monthly Statement by Tehsildar.**—The Tehsildar shall send monthly statement of issue of bonds and cash payments made, to the Collector specifying the name of claimant Zamindar and Biswedari, amount and specification of bonds of issued and cash payments made in each case, alongwith the stamped receipts for delivery of bonds.

**42-I. Return of Undisbursed Bonds and Cash Vouchers, Inspections and Verifications.**—[1] If the claimant Zamindar and Biswedari—

- [i] does not appear after being personally served, or
- [ii] is reported to have died, or
- [iii] his whereabouts are not known, or
- [iv] the bonds could not be delivered within six months of receipt.

The bonds and the unpaid cash payment vouchers shall be returned to the Treasury Officer under a registered cover insured for a sum of Rs. 100/-. Suitable remarks shall be recorded in the remarks column in the register in Form 17-A and in other registers maintained by the Tehsildar. The Treasury Officer shall send to the Tehsildar an acknowledgement of such receipt along with full description of the Bonds. The respective vouchers for payment of cash shall be cancelled under intimation to the Treasury Officer.

[2] All Officers while inspecting the sub-treasury shall invariably inspect and verify the balance of bonds in hand and

check the issue of bonds with the registers, receipts and vouchers etc.

[3] The Collector, or the Assistant Collector, Zamindari and Biswedari as the case may be, shall certify to the Jagir Commissioner on the 30th June and 31 December every year that the Tehsildar has rendered account of all bonds sent to him up to six months prior to the date of report showing the value of bonds delivered or returned to the Treasury.

[4] The Tehsildar shall exercise the powers of a Collector or Assistant Collector Zamindari and Biswedari for purposes of distribution of bonds and payment of cash under these rules.

[Pub. in Raj. Gaz. Part IV (Ga)-Dt. 13.8.1964]

Revenue 'A' Department

Jaipur, May, 7, 1966.

*Notification No. F. 1 (23) Rev./A/66.*—In exercise of the powers conferred by section 36 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 [Rajasthan Act 8 of 1959], the State Government hereby makes the following further amendments to the Rajasthan Zamindari and Biswedari Abolition Rules, 1959 (as originally published under this department's notification No. F. 1 [152] Rev./A/59, dated the 8th April, 1959, in Part IV-C of the Rajasthan Gazette, dated the 25th *idem*), namely :—

### AMENDMENTS

In the said rules;

(1) In rule 37, the words "against each entry" shall be omitted.

(2) In rule 42, after the existing sub-rule (1), the following new sub-rule shall be inserted, namely :—

"(1 A) It the intermediary to whom compensation is payable under the Act, and in whose name the bonds were indented, dies before the full payment of such compensation and the distribution of such bonds to him, the Collector may order the disbursement of the bonds to be made to the person or persons found by the Collector upon enquiry as required by section 20 of the Act, and rule 21 of the rules to be entitled to receive the compensation, and the Collector shall make the following endorsement on the bonds, namely :—

‘Please pay to Shri/Sarva Shri..... being the heir/heirs of the deceased Zamindar/Biswedari Shri.... according to his personal Law.’

Date ....

Signature of the  
Collector

District....

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 7-7-66—Page 216]

Revenue (A) Department

Jaipur, October 31, 1966

*Notification No. F. 1 [79] Rev./A/65.*—In exercise of the powers conferred by section 36 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act 8 of 1959), the State Government hereby makes the following amendment to the Rajasthan Zamindari and Biswedari Abolition Rules, 1959, as originally published under this Department Notification No. F. 1 (152) Rev./A/59, dated the 8th April, 1959, in Part IV (C) of the Rajasthan Gazette, (Extraordinary) dated the 25th April, 1959, namely :—

### AMENDMENT

In the said rules, after sub-rule (1) of rule 12, the following proviso shall be added, namely :—

“Provided that if such application relates to any land that was in Khud-kasht of the intermediary, who was cultivating it personally, but was mortgaged by him some time prior to the date of vesting, but, on such vesting, neither the mortgagor nor the mortgagee had acquired Khatedari rights in such land under section 29 or section 30 of the Act, the first priority shall, notwithstanding anything contained in this chapter, be given to the mortgagor and the second priority to the mortgagee.”

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 6-4-67—Page 50]

# THE RAJASTHAN ZAMINDARI AND BISWEDARI ABOLITION RULES, 1959.

*Published in Raj. Raj-patra part IV (c) dated July, 9, 1959 at page 323 :*

Revenue Department

## NOTIFICATION

*Jaipur, June 12, 1959.*

No F. 1 (152) Rev. A/59.—In exercise of the powers conferred by section 36 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959) the State Government hereby makes the following amendments to the Rajasthan Zamindari and Biswedari Abolition Rules, 1959, as published under this Department Notification of even number, dated the 8th April, 1959 and printed in Part IV (C) of the Rajasthan Gazette Extraordinary dated the 25th *idem*, namely—

## AMENDMENTS.

In the said Rules—

1. *In Rule 16. Sub-rule (3) clause (i)—*

For the word 'realised' appearing between the words 'or' and 'by' shall be substituted the word 'released'.

2. *In Rule 33, Sub-rule (1)—*

(i) For the word 'five' appearing between the words 'prepared in' and 'copies' shall be substituted the word 'four'.

(ii) For the word 'four' appearing between the words 'despatch' and 'copies', shall be substituted the word 'three'.

3. *In Rule 35—*

(i) For the word 'quadruplicate' shall be substituted the words "triplicate".

(ii) For the words 'three copies' shall be substituted the words 'two copies'.

4. *In Rule 36—*

for the words, figures and letter "in form XIII-A" shall be substituted the words, figures and letter "in Form XIII-A, in duplicate."

5. *In Rule 37—*

(i) For the word 'triplicate' shall be substituted 'duplicate.'

2 ] Notifications under the Raj. Zami & Biswedari Abolition Rules, 1959.

- (ii) For the words 'in all the copies' shall be substituted the words 'in both the copies.'
- (iii) The words 'one of which shall be returned to the Public Debt Office, New Delhi, in acknowledgement of the receipt of the bonds' shall be omitted.

6. *In Form XIII appended to the Rules.—*

- (i) For the word 'cases' occurring twice in the Heading and 'N.B.' shall be substituted the word 'cages'.
- (ii) Heading to Column No. 16 Total value of bonds rupees' shall be substituted by the words Total value of bonds in rupees.
- (iii) In the Heading to Column 17 for the words 'Pay Office' shall be substituted the word 'payment':
- (iv) The words and figures etc. reading.

"No.....Date.....19....."

Returned to the Manager, Reserve Bank of India, Public Debt Office, New Delhi, after verification of receipt.

*Treasury Officer.*

*Date.....*

Shall be omitted.

7. *In Form XIII-A—*

The Following shall be inserted below the form of endorsement to the Collector, viz. "Received the bonds as above.

*Treasury Officer.*

*Date.....*

*District.*

8. *In Form XX*

- (i) In the counterfoil, above the words "(in words) Rupees...." shall be inserted the words "amount payable in cash Rs....."
- (ii) In the foil, after the word 'Signature' shall be added the words 'of the Treasury Officer.'

By Order of the Governor.

R. K. CHATURVEDI,

Secretary to the Government.

*Notifications under*

**THE RAJASTHAN ZAMINDARI AND BISWEDARI  
ABOLITION ACT, 1959.**

*Published in Raj. Raj-part part IV (c) dated October 21, 1959 at page 755-756 :*

**REVENUE (A) DEPARTMENT  
NOTIFICATIONS**

*Jaipur, October 21, 1959.*

No. F. 1 (152) Rev. A/59.—In exercise of the power conferred by sub-section (3) of section 1 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959), the State Government hereby appoints the first day of November, 1959, as the date on which the said Act shall come into force.

*Jaipur, October 21, 1959.*

No. F. 1 (152) Rev. A/59.—In exercise of the power conferred by sub-section 2 of section 35 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959), the State Government does hereby order that the Collectors may delegate all or any of the powers conferred on them by the said Act, to any sub-divisional Officer or Assistant Collector subordinate to them, and in particular to such of them or have been dealing with the work of resumption of Jagirs under the designation of Deputy Collector (Jagir).

*Published in Raj Raj-patra part IV (c) dated November, 3, 1959 at page 828.*

**Revenue (A) Department  
NOTIFICATION**

*Jaipur, November 3, 1959.*

No. F. 1(152) Rev./A/59.—In exercise of the powers conferred by section 4 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959), the State Government hereby appoints the 15th day of November, 1959, as the date for the abolition and acquisition of all settled Zamindari and Biswedari estates throughout Rajasthan and for the vesting of all such estates in the State Government.

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

2 ] Notifications under the Raj. Zami. & Biswedari Abolition Act, 1959.

*Published in Raj. Raj-patra part IV (c) dated December, 28, 1959 at page 937 :*

Revenue Department

NOTIFICATION

*Jaipur, December 28, 1959.*

No. F. 1(152) Rev. A/59.—In exercise of the powers conferred by section 4 of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act No. 8 of 1959), the State Government hereby appoints the fifteenth day of January, 1960 as the date for the abolition and acquisition of all zamindari and biswedari estates throughout Rajasthan, that have not been abolished and acquired in pursuance of Government notification of even number dated the 3rd November 1959, and for the vesting of all such estates in the State Government.

By Order of the Governor,  
R. K. CHATURVEDY,  
Secretary to the Government.

*Published in Raj. Raj-patra I (b) dated November 16, 1960 at page 453 :*

Revenue (D) Department

NOTIFICATION

*Jaipur, August 29, 1960.*

No. F. 11(4) Rev. D/60.—In exercise of the powers conferred by sub-clause (III) of clause (b) of section 20, read with section 21, of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956) the State Government does hereby appoint the Deputy Collector (Jagir) Ajmer, as an Assistant Collector, subordinate to the Collector of Ajmer for the purposes of the Rajasthan Zamindari and Biswedari Abolition Act, 1959 (Rajasthan Act 8 of 1959).

By Order of the Governor,  
R. K. CHATURVEDI,  
Secretary to the Government,



### Crane Machines.

48. Crane weighing machines may be constructed upon the lever, spring or hydraulic principles.

All working parts shall be suitably protected from damp and dust.

In a lever machine the steel yard may be made of special metal to resist atmospheric influences, provided it is sufficiently rigid and accurate. The rack and pinion in a dial machine shall be of suitably hard metal.

49. The range of balancing or adjusting arrangement shall not exceed 2 per cent of the capacity of the machine.

### PART IX

Inspection, verification, re-verification, adjustment and stamping of weights and measures and weighing and measuring instrument, in use in any area, including the prohibition of stamping in cases where the nature, the denomination, material or mode of construction of the weight or measure or weighing or measuring instrument appears likely to facilitate the commission of fraud and the period within which such weights and measures and weighing or measuring instrument shall be verified or re-verified.

#### Notes

The rules in this part are meant for putting into effect the provisions of sections 11 (2) and (3), 12, 14, 16, 17 and 26 of the Act. Sub-sections (2) and (3) of section 11 provide for the marking of weights and measures in use. Sub-section (2) of section 12 of the Act provides for the marking of weighing and measuring instruments. Section 14 of the Act requires the stamping of weighing and measuring instruments, and weights and measures in use. The provisions for verification of weights and measures in use; and weighing and measuring instruments are contained in sections 16 and 17 of the Act. The powers of inspection by a Inspector are contained in section 26 of the Act.

These rules have been made as required under the aforesaid sections of the Act.

#### General

50. The inspector authorised under section 26 shall visit the premises of every trader in the area in his charge for the purpose of inspecting all weights and measures, and weighing and measuring instruments in use for trade once at least in two years and he shall from time to time make such special surprise visits as are necessary for the proper discharge of his duties.

51. An Inspector shall make monthly reports to the Superintendent of Weights and Measures showing the work of inspecting and verification done by him in a form approved by the Director of Industries and Commerce.

52. All weights, measures, and weighing and measuring instruments shall be tested in a clear condition and if necessary, the Inspector shall require the owner or user to clean them.

53. Where a weight, measures or weighing or measuring instrument is brought by a trader to an Inspector for the re-verification, the Inspector shall deal with it in the same manner as upon inspection, but it shall not be necessary for him to test a glass or earthen measure unless the original stamp has been defaced.

The margin of error permissible on re-verification shall not exceed the margin of error permissible on verification.

54. (1) Before stamping any weight, measure or weighing or measuring instrument, the Inspector shall satisfy himself that such weight, measure or weighing or measuring instrument complies with the requirement of the Act and the Rules.

(2) Weights, measures and weighing and measuring instruments already in existence at the commencement of the rules, which do not conform exactly to the requirement of the rules but which are one or the other of the weights and measures mentioned in the schedule of the Act and are within the percentage of error permitted by these rules, shall be verified and stamped during the periods shown in table XVIII hereinafter called the 'period of allowance.'

(3) The period of allowance shall begin to run from the date of the commencement of these rules and after the expiry of the said period no weight, measure or weighing with and measuring instrument shall be verified or stamped unless it complies exactly with the Act and these rules.

55. Notwithstanding anything contained in sub-rule (1) of Rule 54 any weight, measure or weighing or measuring instrument which is once verified or stamped in accordance with the rules then in force may at any time, within a period of 10 years after the date of such first verification or stamping the case may be re-verified or stamped under these rules if such weight, measure or weighing or measuring instrument complies with the provisions of the rules which were in force at the time of its first verification or stamping as the case may be.

56. No weight, measure, or weighing or measuring instrument shall be stamped which is not in the opinion of the Inspector, sufficiently strong to withstand the wear and tear of ordinary use in trade.

57. The denomination or capacity of a weight, measure or weighing or measuring instrument, if not marked in full, shall be indicated only by one of the abbreviations set out in Table XIX.

58. No instrument, weighing or measuring, manufactured after these rules shall have come into force, other than class A beam scales, shall be stamped unless provided by the manufacturer with a plug or stud of soft metal on which to place the Inspector's stamp such plug or stud being made irremovable by under cutting or in some other suitable manner.

59. (1) The Inspector shall stamp weights, measures and instruments with a stamp of uniform design issued by the Director of Industries and Commerce with the addition of the number or mark distinguishing the district.

(2) All weights, measures (other than glass, earthenware, and enamelled metal measures) and weighing or measuring instruments shall except where the small size renders it impracticable, have a date marked (including the date of stamping) on them by the Inspector.

(3) No weight, counterpoise measure, or weighing or measuring instrument for which no specific provision is made in these rules shall be stamped unless it is of a pattern approved by the Director of Industries & Commerce.

#### Weights

60. All weights shall be examined to ascertain that they comply with the Act and these rules in every respect.

61. (1) A weight shall not be stamped unless in the opinion of the Inspector such weight is free from flaws and is smooth on all its surfaces.

(2) No weight made of iron manufactured after the date when the rules shall have come into force shall be stamped unless such weight are bladed, black-leaded, oxidised or protected by galvanization or other process approved by the Director of Industries and Commerce.

62. (1) Weights shall be stamped on the lead in the adjusting holes in the under surface of the weight:

Provided that the weights made of brass without an adjusting hole shall be stamped on the under surface.

(2) No weights used in either (a) gold and silver trades, or (b) Pearl and precious stone trades, shall be stamped unless they are either Bullion Tola Val or Rati Weights.

#### Liquid Measures.

63. All liquid measures shall be examined to ascertain that they comply with the Act and these rules in every respect.

64. A liquid measure marked with equivalent in weight may also be stamped, provided that the words "of water" are marked on the measure in addition to the denomination.

65. (1) Every liquid measure shall be tested by filling the working standard with water and emptying the contents of the working standard into such measure submitted for verification.

(2) Where the capacity is indicated by a line the measure shall be tested to the bottom for verification.

(3) Where the capacity is indicated by a line the measure shall be tested to the bottom of line.

(4) A lip or rimmed liquid measure shall be tested to the bottom of the lip or rim.

#### Area and Volume.

66. (1) All measures of volume shall be examined with the object of discovering flaws or want of straightness and proper right angles at the corners.

(2) Every measure of volume shall be verified by comparing length of each size against the working standard of length at or near the normal temperature.

(3) The allowance for errors in the case of length of the sides of the measure of volume shall be the same as prescribed for linear measures.

(4) All measures of volume shall be stamped near the top edge on brass plate securely fastened to them.

#### Measures of Length.

67. All measures of length shall be examined with the object of discovering flaws or want of straightness or strength.

68. Every measure of length shall be verified by comparison with a working standard at or near normal temperature.

69. A linked measure or a riband or tape measure, shall be tested when subjected to a tension or pull as follows:—

Ordinary riband or tape measure	2 lb.
---------------------------------	-------

Ordinary riband or tape measure (metal)	10 lb.
---	--------

Linked measures.	15 lb.
------------------	--------

The measure under test shall be supported throughout its whole length on a plane and even base.

70. Tape measures which are intended to be used in cases may be accepted for verification and stamping if submitted without the case.

71. All measures of length shall be stamped near the beginning of the scale on each graduated side.

In the case of linked measures the stamp may be placed on a metal label or disc permanently attached to the measure, or on the brass handle.

#### Weighing Instruments

##### General

72. (1) A weighing instrument of the vibrating type shall be tested for sensitiveness by loading the instrument with the maximum testing load, with the beam or steel yard in a horizontal position, and ascertaining that it turns with the addition of the amount shown in the Table for sensitiveness. No test for sensitiveness at a lower load shall be made.

(2) For beam scales, the addition of the said amount on either side shall cause an appreciable movement of the beam.

(3) For other vibrating weighing instruments, the addition of the said amount shall cause the beam or steel yard to rise or fall to the limits of the range of movement.

73. (1) Weighing instruments of the vibrating type shall be tested for error by ascertaining the weight in excess or deficiency (if any) required to bring the beam or steel yard of the machine to a horizontal position when fully loaded.

(2) Weighing instruments of the accelerating type shall be tested for error by ascertaining the weight required when the machine is fully loaded, just to keep the beam or steel yard in a horizontal position on its stop or carrier and no more, and shall be further tested by ascertaining the weight required to bring back the beam or steel yard from its position of greatest displacement to the horizontal position, the machine being fully loaded and truly balanced.

74. For capacities not tabulated, the allowances for error and the required sensitiveness shall be proportional.

75. Movable weighing instruments provided with a beam shall be tested on a level plan, and instruments which are suspended in use shall be suspended when tested.

76. A weighing instrument with removable hooks (other than the hook or bearings of "Swan neck" beams and the hooks at the ends of steel yards of compound lever machines) shall not be stamped unless it is of a pattern approved by the Director of Industries and Commerce.

77. (1) No weighing instruments having a counterpoise or travellingpoise shall be stamped, unless such counterpoise or travellingpoise is provided by the manufacturer with a hole or other suitable measure for future adjustment, such adjusting hole being under-cut, and if loose material is used in a travellingpoise it shall be accurately enclosed.

(2) The Inspector shall ascertain that a weighing instrument is perfectly balanced when not loaded, that the beam has sufficient room for oscillation and that it returns to the position of equilibrium or that the indicator returns to the zero mark or the minimum graduation, when the load is removed.

78. (1) No weighing instrument with removable parts, the removal of which would effect the accuracy of the instrument, shall be stamped unless the parts are such that the instrument cannot be used or are revertible.

(2) Where an instrument has interchangeable parts or revertible parts it shall not be stamped unless the interchange or reversal does not effect the accuracy of the instrument.

#### Beam scales.

79. All beam scales shall be examined to ascertain that they comply with the Act and these rules.

80. With pans loaded to half the capacity no appreciable difference in the accuracy of the instrument shall result from moving the knife edges or bearings laterally or backwards within their limits of movements.

The instruments shall be correct whether the load is on the middle or near the edge of the pan.

81. On beam scales the verification marks shall be placed on the stud or plug on the beam, immediately under or over the central knife edge.

The Inspector may stamp any plug or stud in the same manner as he would stamp a weight, or by means of marking pincers.

82. No beam scale which is to be stamped shall have loaded weight pan.

#### Counter Machines.

83. All counter machines shall be examined to ascertain that they comply with the Act and these rules.

84. The minimum "Fall" either way, of a counter machine shall be as under :—

<i>Capacity</i>	<i>Inch</i>
Not exceeding 4 lb. or 2 seers.	$\frac{1}{4}$
Above 4 lb. or 2 seers and not exceeding 7 lb. or 3½ seers.	5/16
Above 7 lb. or 3½ seers and not exceeding 28 lb. or 14 seers.	3/8
Above 28 lb. or 14 seers and not exceeding 56 lb. or 28 seers.	7/16
Above 56 lb. or 28 seers.	$\frac{1}{2}$

85. With the pans loaded to half the capacity no appreciable difference in the accuracy of the counter machine shall result from moving the knife edges or bearings laterally or backwards and forward within their limits of movements.

86. When the goods pan is not in the form of a scoop, the counter machine shall indicate the same weight within half the prescribed limit of errors, if a load equal to half the capacity is placed on the goods pan any where. Within a distance from the centre equal to 1/3 the greatest length of the pan or if the pan has a vertical side, against the middle of that side, the weight being entirely on the weights pan but in any position on it.

87. When the goods pan is in the form of a scoop the counter machine shall be correct if half the full load is placed against the middle of the back of the scoop and the other half in any position on the scoop.

88. The verification stamp shall be placed upon the plug or stud provided for that purpose on a conspicuous part of the beams or body of the machine.

**Spring Balances.**

89. All spring balances shall be examined to ascertain that they comply with the Act and these rules.

90. (1) When the pan is below the spring, the prescribed limit of error shall not be exceeded wherever the load is placed upon it.

(2) Where the pan is above the spring, the rules regarding the position of the load on the pan of counter machines shall apply.

91. (1) Each numbered graduation shall be tested and intermediate graduations may be tested if necessary.

(2) The spring balance shall be correct, whether the test is forward or backward, provided that in either case the spring shall be allowed to vibrate before the reading is taken.

(3) The inspector may test the balance for efficiency or ability to recover by leaving on the same a load equal to its a maximum capacity for a period of 24 hours or less, and then after the expiration of 4 hours may test the same for accuracy.

92. Spring balances of a capacity of 30 lb. or 15 seers and under shall satisfy the requirements as regards error of counter ma-

chines of similar capacity. For spring balances of a capacity of 40 lb. or 20 seers and over the error shall not exceed the weight corresponding to a quarter of the interval between consecutive graduations.

Spring balances shall not be tested for sensitiveness.

(See table XI)

93. Spring balances shall be fitted with a soft metal plug to receive the Inspector's stamp, and where practicable, the plug shall pass through the dial or frame. The plug shall be so supported as to avoid risk of injury to the instrument by stamping.

#### Steel Yards.

94. The Inspector shall not stamp :—

- (a) any steel yards which is revertible and has three hooks;
- (b) any accelerating steel yards;
- (c) any counter steel yard;
- (d) any steel yard not having a zero graduation; or
- (e) any steel yard of a capacity less than 56 lb.

Unless the pattern thereof has been approved by the Director of Industries and Commerce Rajasthan.

95. (1) Each numbered graduation shall be tested and the instrument shall be correct whether the test is forward or backward

The allowance of error in case of steel yards, shall be twice those prescribed for counter machines or dead-weight machines of similar capacity.

(2) The verification mark shall be placed upon the plug or stud on the front face of the shoulder of the steel yard.

#### Dead-Weight Machines.

96. The dead-weight machine shall indicate the same weight within half the prescribed limits of error, if a load of  $\frac{1}{4}$  of the capacity is placed successively at the middle of the front and back of each platform and centrally over the knife edges and each side.

97. The plug or stud for verification mark shall be placed on conspicuous part of the beam or body of the machine.

#### Platform Machines and Weigh-Bridges.

98. Weigh-bridges, dormant platform machines, petrol pumps and such other weighing or measuring instruments as the Director of Industries and Commerce Rajasthan, may specify in this behalf shall be verified and stamped *in situ* in addition to any preliminary test on maker's or seller's premises.

99. The Inspector shall, in other than dial machine, proceed to test each numbered graduation up to 1 ton, or to such smaller amount as the last graduation on the steel yard may indicate. He shall then test the loose counterpoises where such are provided, and finally test the machine ton by ton or load it with heavy material to within 1 ton of its maximum load and ascertain that an additional ton is correctly indicated with the necessary modifications. The test of dial machines shall be made in a similar manner.

100. With one quarter of the maximum load or as near thereto as is practicable, the platform machine or the weigh-bridge shall indicate the same weight within half the prescribed limits of error whether the load is placed on the middle or near the ends or corners of the platform.

101. When a platform machine is fitted with relieving near the prescribed limits of error shall not be exceeded when the machine is put steadily out of and into gear. The plate or platform shall be entirely disengaged from its bearings when the machine is in relief.

102. (1) On a dial machine the verification mark shall be made on a soft metal stud or plug fixed on the dial.

(2) On a platform machine or weigh bridge other than a dial machine, the mark shall be placed on the plug or stud in a conspicuous position either on the shoulder or the opposite end of the indicating lever of steel yard.

#### Crane Machines.

103. (1) Hydraulic machines in which it is necessary in order to get correct weight indication, to twist the load hook shall not be stamped unless a prominent notice to this effect is permanently affixed to the machine.

(2) The steel yard movement shall be correct and the dial hand shall work freely and return to its initial starting point after the load is removed.

(3) Each numbered division shall be tested as far as possible.

104. The stamping plug shall be placed on a conspicuous part either of the steel yard or of the dial of the machine.

#### Automatic Machines.

105. (1) Automatic machines and their integral parts such as special beam and the like should except as may be otherwise provided by rules, satisfy the requirements of these rules so far as they are applicable as regards principle, details, or material of construction.

(2) It shall not be necessary to mark beams with any class but they shall be identified with the machine by an indelible number or other sufficient mark of identification.

(3) The adjusting mechanism shall be suitably secured or protected so that it cannot be readily tampered with.

(4) The accuracy of the output of the machine shall be verified by reweighing, over another weighing instruments, not less than twenty continuous loads, or, where practicable, the machine may be tested direct by the application of standard weights.

(5) In testing totalising machines, not less than forty loads shall be passed over the machine, namely ten minimum loads, ten maximum loads and twenty loads of the mean between the maximum and minimum. The stamping plug shall be placed upon the beam, shank or dial of the machine.



### Period of verification.

106. (1) All weights, liquid measures of capacity and the measures of length and weighing instruments for use or in retail and wholesale, shops and industrial establishments (except Railways within the meaning of the Indian Railways Act, 1890 or factories within the meaning of the Factories Act, 1948) shall be verified and stamped at least once in every two years.

(2) All weights, liquid measures of capacity, measures of length and weighing instruments for use or in use for trade in all places other than those mentioned in sub-rule (1) shall be verified and stamped at least once in every twelve months.

## PART X

Circumstances and conditions under which and the manner in which stamps may be obliterated or defaced.

107. Subject to the provisions of this rule, the Inspector, on inspection, shall obliterate the stamp on:—

- (a) any weight, measure or weighing or measuring instrument which cannot be stamped and made to conform to the requirements of these rules;
- (b) a measure of length, when the deficiency or excess exceeds four times the amount allowed on verification;
- (c) measure of capacity (other than an apothecaries' measure) if the error in deficiency is more than half that allowed in excess on verification, or if the error in excess is more than that allowed on verification, and, on apothecaries' glass measures, if the error is greater than that allowed on verification;
- (d) a weight, if the error in deficiency is more than half that allowed on verification, or if the error in excess is more than that allowed on verification;
- (e) a weight or measure, if it does not admit of proper adjustment owing to its being broken, much indented or otherwise defective;
- (f) a weight or measure which, since the last stamping, has been repaired or re-adjusted so as to cease to conform to the requirements of these rules;
- (g) a weighing instrument, if the error exceeds twice, or if the deficiency in sensitiveness exceeds three times the amount allowed on verification;
- (h) an equal armed weighing instrument, which since the last stamping has been repaired or adjusted so as to cease to conform to the requirements of these rules, and any weighing instrument which since the last stamping, has been so repaired or altered that it has become necessary to ascertain that the indications of the instruments remain correct throughout its range, *e.g.* when an instrument is altered in design or constru-

- ction or when new stays, levers or springs are introduced;
- (i) any weight or measure or weighing or measuring instrument due for and not submitted for re-verification and stamping;
  - (j) any weight or weighing instrument used in contravention of rule 33:

Provided that where the incorrectness of the weight, measure or weighing or measuring instrument exceeds the limits laid down in this rule, the Inspector shall leave with the trader a notice calling on him to have the said weight, measure or weighing or measuring instrument corrected within a stated period, not exceeding twenty eight days, and shall obliterate the stamp if the correction has not been made within such period:

Provided further that where in a weighing instrument the incorrectness is due merely to a need for re-balancing the instrument, the stamp shall not be defaced.

## PART XI

Tests to be applied for the purpose of ascertaining the accuracy and efficiency of weights and measures and weighing or measuring instruments.

108 The Inspector shall carry out the tests prescribed in rules and in accordance with the schedule of instructions prepared for the purpose by the Director of Industries and Commerce, from time to time.

The limits of error to be allowed on verification and to be tolerated on inspection either generally or as regards any trade.

109. (a) The amount of error to be tolerated in weights and measures and weighing or measuring instruments used or intended to be used for trade.

(b) The amount of error to be tolerated in secondary and working standards when verified and re-verified shall be as specified in Table XX.

110. The amount of error to be allowed on verification and to be tolerated on inspection of weights and measures and weighing or measuring instruments used or intended to be used for trade shall be as specified in Tables I to XVII.

## PART XI (a)

The amount of error to be tolerated in selling articles by measures as regards the textile trade.

111. The amount of error to be tolerated when grey, white or coloured cotton piece goods are sold on the basis of the length and width stamped on them, shall be as specified in Table XX-A.

## PART XII FEES.

### Notes

The Rules 112 to 121 contained in this part are in pursuance of section 28 of the Act which provide that,—The State Government shall charge such fees for the

marking, verification, re-verification, adjusting, renewing and stamping of weights or measures or weighing or measuring instruments as may be prescribed.

112. Fees to be charged for verification, re-verification and stamping weights and measures shall be as prescribed in Table XXI.

113. The fees to be charged for verification, re-verification and stamping, weighing and measuring instruments shall be as prescribed in Tables XXII and XXII-A respectively.

114. The fees prescribed in Table XII and do not include fees for adjustment. The Inspectors are permitted only to carry out minor adjustments at an extra fees to be fixed by the Director of Industries and Commerce.

115. (1) The fees chargeable for the verification and stamping of weight measures, or weighing or measuring instruments at the office of the Inspector shall be at the prescribed in Tables XXII and XXIV as the case may be.

(2) If such verification or stamping is done by the Inspector at the premises of any person, the fees chargeable for such verification and stamping shall be at the rates prescribed in the said tables:

Provided that after the expiry of two years from the date when these rules shall have come into force in any district or municipal area, in addition to the fee chargeable as aforesaid, an extra fee at the rates equal to half the rates prescribed in the said tables together with the actual travelling expenses of the Inspector incurred in carrying out such verifications and stamping, shall be charged:

Provided further that in case of verification or stamping of petrol or fuel oil vehicles or weighing and measuring instruments mentioned in Rule 98 at the premises of any persons, or if the verification or stamping is done by the Inspector at the premises of a manufacturer or stockist of weights, measures, and weighing or measuring instruments, the extra fee prescribed in the above provision shall not be charged, but such person, manufacturer or stockist shall in addition to the fees leviable at the rates prescribed in the said tables, be liable to pay the travelling expenses incurred by the Inspector in visiting the premises of such persons, manufacturer or stockist for purpose of carrying out the verification and stamping.

Such travelling expenses shall include any travelling and daily allowance payable to the Inspector in accordance with the Rajasthan Civil Service Rules to which the said Inspector would be entitled, if the verification or stamping has to be carried out at a place outside the headquarters of such Inspector.

116. Notwithstanding anything contained in Rule 112-115 no fees shall be charged for re-stamping weights etc. within the period of one year or two years as prescribed in Rule 106 of these rules from the date on which they were first stamped against payment of fees provided that the original stamp on the weight etc. was not obliterated under Rule 107.

117. Before commencing the work of verification or re-verification the Inspector shall inform the person concerned of the fees payable by him under the rules and shall receive the same and issue a receipt, two copies of such receipt shall be kept on record. The receipt shall be in the form approved by the Director of Industries and Commerce.

118. When a weight, measure or weighing or measuring instrument is returned as incorrect, the Inspector shall inform the person concerned in writing of the defects found in the weight, measure or weighing or measuring instrument.

119. A weight measure or weighing or measuring instrument which on verification is found to be incorrect shall be returned to the person concerned for adjustment. When the necessary adjustment has been carried out, such weights, measure or weighing or measuring instruments shall be re-verified on payment of 50 per cent of the prescribed fees and if found correct shall be stamped.

120. The Inspector shall maintain a register which shall be written up from day to day and shall show the amount of fees and carriage charges collected during the day.

121. The entire payment collected by the Inspector shall be paid by him into the Government Treasury every Saturday for credit to 32-Industries and a receipt obtained which shall be pasted in the Accounts Register and intimation to that effect shall be sent by him to the Superintendent, W. & M.

### PART XIII

**Seizure, detention and destruction of weights and measures and weighing or measuring instruments which are not authorised under the Act and in regard to which no regulations have been made under section 44.**

122. (1) An Inspector authorised under section 21 may enter any place within the area for which he is appointed where he has reason to believe that there are any weight, measure or weighing or measuring instruments for use in trade to inspect and test them and to seize and detain such weight, measures and weighing or measuring instruments as are liable to be seized and detained.

(2) Weights and measures and measuring instruments shall be liable to be seized and detained if :—

- (a) They are not of the denomination of a standard weight or measure specified;
- (b) they are false or defective;
- (c) wilful fraud is committed in using them;
- (d) they are unstamped;
- (e) the stamp on them is forged or transferred.

(3) (a) The following weighing instruments namely, beam scales, spring balances counter machines and steel yards, shall be liable to seizure and detention in cases specified in sub-rule (2) and

(b) weighing instruments other than those specified in clause (a) shall be liable to seizure and detention in cases (b), (c), and (e) but not in cases (a) and (d) specified in sub-rule (2).

(4) Any weight or measure or weighing or measuring instrument seized and detained under sub-rule (2) or (3) which is not to be the subject of proceedings in a Court, shall after the expiry of one month after its seizure, be so dealt with as the Superintendent, W. & M., may by general or special order direct, and the material thereof shall be sold and the proceeds credited to Government.

123. Any weight or measure or weighing or measuring instrument liable to seizure and detention which is to be the subject of proceeding in a Court shall be seized and detained by the Inspector for being produced before the Court.

## PART XIV

Qualifications, functions and duties generally of Inspectors under the Act and the rules and regulations.

### Notes

Sections 21 to 27 deal with the appointment, functions, duties and powers of the Inspector appointed under the Act. Rule 124 prescribes the qualifications of the Inspector as required under section 21 of the Act. The functions and duties of Inspector are prescribed in rule 125.

124. *Qualifications.*—No person shall be appointed an Inspector unless he—

(1) is a graduate of recognised University, or had received training in Rajasthan Weights and Measures Department, or has experience of Weights and Measures work in any.

(2) is able to speak, read and write Hindi and English.

125. *Functions and duties.*—The duties of an Inspector are—

(a) the safe and proper custody of the secondary and working standards and other equipment given in his charge;

(b) verification and stamping of weights and measures etc.;

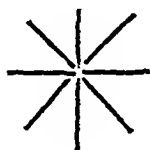
(c) inspections;

(d) collections of fees and charges and submission of the reports and returns prescribed in the rules and laid down by the Director of Industries and Commerce.

126. Every Inspector shall be provided with working standards scale beams, and balances for travelling kit for inspection, of such material and form as may from time to time be approved by the Director of Industries and Commerce.

127. Every Inspector shall be provided with such dies, punches, stencil plates, branding irons, etching and engraving and other implements, as may be necessary for affixing the local verification stamp, as approved by the Director of Industries and commerce.

The Inspector shall be provided with punches, of suitable sizes, of length pointed star design as shown in the illustration below for obliterating stamps.



128. Every Inspector shall be provided with an adequate office accommodation, in a business area together with cup boards, etc. for the due security of his standards, instruments and books.

128. (4) Every Inspector shall have to execute a bond for Rs. 1000/- for the matters mentioned in section 22 of the Act.

129. Where in the special circumstances of any case it appears to an Inspector to be impracticable to comply literally with any requirement of these rules, he shall refer the matter to the Superintendent, W. & M. who may, if he thinks fit, dispense with the observance of each requirement.

130. (1) Every manufacturer of, or dealer in weights, measures or weighing or measuring instruments shall register his address with the Superintendent W. & M. and shall inform him forthwith of any change in the address so registered

(2) Every repairer of weights, measures or weighing or measuring instruments shall apply to the Supdt. W. & M. for registering his name and address, the said Supdt., shall on assuring himself that he is a competent repairer and possesses a regular workshop and tools, register his name and address in his office. Such registered repairers shall inform the said Supdt. forthwith of any change in the address so registered.

(3) The said Supdt. may refuse, revoke, suspend or cancel the registration of any manufacturer of, or dealer in, or repairer of weights, measures, weighing or measuring instruments on the ground of want of proper and adequate workshop facilities or staff or incompetency or failure to observe any of the provisions of the Act or these rules.

131. (1) The difference under section 27 (1) shall be referred to the Superintendent, Weights and Measures, Rajasthan.

(2) An appeal from any decision under sub-section (2) of section 27 shall lie to the Director of Industries and Commerce, Rajasthan within two months from the date of such decision.

#### Notes

The rule is meant for the purposes of section 27 of the Act which provides that,—(1) If any difference arises between an Inspector and any person interested as to the method of marking, renewing, adjusting, verifying or stamping any weight or measure or a weighing or measuring instrument prescribed under section 7, such difference may, at the request of the party interested or the Inspector, be referred to such officer as the State Government may appoint in this behalf, and the decision of such officer shall, subject to the provisions of sub-section (2), be final.

(2) An appeal shall lie within the prescribed time from a decision under sub-section (1) to the State Government or to such officer as the State Government may appoint in this behalf, and the decision on such appeal shall be final.

132. (a) Every Inspector shall keep and maintain such books and use such forms in connection with his work as may be laid down by the Director of Industries and Commerce.

(b) The books and forms mentioned in rule (a) above shall be supplied to the Inspector by the Government.

(c) Under section 25 (1) every Inspector shall attend at his office which shall be at a central place in the market area of his headquarters town.

#### Weighing instruments and weights in particular trades.

133. (1) Weighing instruments used by the following classes of traders shall be beam scales of either Class A or Class B or such instruments other than beam scales as satisfy the requirements of Table VII and shall not be verified, re-verified or stamped by the Inspectors if they are not instruments of the kind specified in the rules.

(i) Gold and silver merchants and Bullion dealers.

(ii) Dealers in precious metals and precious stones and Jewellers.

(iii) Retail chemists and druggists.

(iv) Silk merchants.

(v) Any other classes or classes of traders as the Director of Industries and Commerce, may specify.

(2) Beam scales used by the following classes of traders shall be either of Class A, Class B or C and shall not be verified, re-verified or stamped by the Inspector if they do not belong to one of these classes.

(i) Retail and wholesale dealers in base metal.

(ii) Retail and wholesale dealers, in ghee, spices and butter.

(iii) Retail and wholesale dealers in tea, coffee, tobacco and cotton.

(iv) Any other class or classes of traders as the Director of Industries and Commerce may specify.

(3) Weights used by the classes of traders mentioned in clause (i) and (ii) of sub-rule (1) shall be Bullion Tola Weights and Rati-Weights respectively and shall not be verified, re-verified or stamped by the Inspector if they are not Bullion Tola Weights or Rati Weights respectively.

TABLE I  
SEER & MAUNDS WEIGHTS  
(See Rule 110.)

Verification				Seer & Maund Weights		Inspection			
Error in Excess only						Error in deficiency			
Iron Wts.		Other than Iron Wts.				Iron Wts.		Other than Iron Wts.	
84	grains	42	grains	1	maund	42	grains	21	grains
48	"	24	seers	20	"	24	"	12	"
30	"	15	"	10	"	15	"	7.5	"
20	"	10	"	5	"	10	"	5	"
15	"	7.5	"	2½	"	7.5	"	3.75	"
12	"	6	"	2	"	5.5	"	3	"
8	"	4	"	1	"	4	"	2	"
4	"	3	"	½	"	2	"	1	"
4	"	2	"	½	"	2	"	1	"
4	"	2	"	¼	"	1	"	.5	"
		1	"	1/8	"	.5	"	.25	"
		5	"	1/16	"	.5	"	.25	"
		.5	"	1/32	"	.5	"	.25	"
				1/64	"				

TABLE I A  
BULLION TOLA WEIGHTS  
(See Rule 110.)

Denominations		Verification		Inspection	
		Errors in excess only		Errors in deficiency.	
2000	Tolas	6	grains	3	grains
1000	"	5	"	2.5	"
500	"	4	"	2	"
400	"	4	"	2	"
300	"	2	"	1	grain
100	"	1	grain	.5	"
50	"	.7	"	.35	"
30	"	.7	"	.35	"
20	"	.5	"	.25	"
10	"	.4	"	.2	"
5	"	.3	"	.15	"
4	"	.25	"	.125	"
3	"	.2	"	.1	"
2	"	.15	"	.075	"
1	Tola	.1	"	.05	"
½	"	.1	"	.05	"
¼	"	.1	"	.05	"
1/8	"	.05	"	.025	"
1/16	"	.05	"	.025	"
1	Val	.02	"	.01	"
½	"	.02	"	.01	"
¼	"	.1	"	.005	"



TABLE I-B.  
Rati Weights.  
(See Rule 110.)

Denominations		Verification		Inspection	
		Error in excess only		Error in deficiency	
240	Raties	.2	grain	.1	grain
120	"	.15	"	.075	"
72	"	.1	"	.05	"
48	"	.1	"	.05	"
24	"	.1	"	.05	"
12	"	.05	"	.025	"
6	"	.05	"	.025	"
3	"	.02	"	.01	"
2	"	.02	"	.01	"
1	Rati	.02	"	.01	"
1/2	"	.01	"	.005	"
1/4	"	.01	"	.005	"
1/8	"	.005	"	.0025	"

TABLE II.  
Avoirdupois Weights  
(See Rule 110).

<i>Verification</i>				<i>Avoirdupois</i>		<i>Inspection</i>			
<i>Error in excess only</i>						<i>Error in Deficiency.</i>			
<i>Iron Wts.</i>		<i>Other than iron weights.</i>				<i>Iron Wts.</i>		<i>Other than iron weights.</i>	
100	grains	50	grains	100	lb.	50	grains	25	grains
60	"	30	"	56	"	30	"	15	"
55	"	27.5	"	50	"	27.5	"	13.75	"
40	"	20	"	28	"	20	"	10	"
30	"	15	"	20	"	15	"	7.5	"
24	"	12	"	14	"	12	"	6	"
20	"	10	"	10	"	10	"	5	"
16	"	8	"	7	"	8	"	4	"
14	"	7	"	5	"	7	"	3.5	"
12	"	6	"	4	"	6	"	3	"
8	"	4	"	2	"	4	"	2	"
4	"	3	"	1	"	2	"	1.5	"
4	"	2	"	8	oz	2	"	1.5	"
4	"	2	"	4	"	2	"	1	"
4	"	1	"	2	"	2	"	1	"
4	"	.5	"	1	"	2	"	.5	"
4	"	.5	"	8	drams	1	"	.5	"
2	"	.5	"	4	"	1	"	.5	"
1	"	.5	"	2	"	.5	"	.25	"
1	"	.5	"	1	"	.5	"	.25	"
1	"	.5	"	1/5	"	.5	"	.25	"

TABLE III  
Liquid Measure of Capacity (Seers & Maunds).  
( See Rule 110 ).

Verification				Inspection.			
Error in excess only		Capacity of Measure to the Graduation tested.		Error in deficiency			
Ordinary	Conical Metal	Enamelled Metal, Glass & Earthen-ware.		Ordinary	Conical metal	Enamelled metal, Glass & Earthen-ware.	
4	fl. oz.	2	fl. oz.	40 & 30	seers.	2	fl. oz.
3	"	1 $\frac{1}{2}$	"	20 & 10	"	1 $\frac{1}{2}$	"
2	"	1	"	8 to 4	"	1	"
1	"	4 fl. drams	"	2 & 1	"	4	drams.
4	drams	2	"	$\frac{1}{2}$	"	2	"
3	"	1 $\frac{1}{2}$	fl. drams	$\frac{1}{4}$	"	1 $\frac{1}{2}$	"
2	"	1	"	1/8	"	1	"
1	"	$\frac{1}{2}$	"	1/16	"	$\frac{1}{2}$	"
$\frac{1}{2}$	"	15 min.	"	1/32	"	15	min.
20	min.	10	min.	1/64	"	10	min.
						5	"
						7 $\frac{1}{2}$	"
						15	"
						1	"
						2	"
						4	fl. dr.
						1	"
						2	"
						4	"
						3	"
						4	fl. oz.

TABLE IV-A  
Liquid Measures of Capacity (Liquor, Dram & Peg)  
(See Rule 101).

Verification		Inspection	
Error in excess only	Denomination	Error in Efficiency.	
$\frac{1}{2}$ fl. dram	$\frac{1}{2}$ dram	15 min.	
$\frac{1}{4}$ "	$\frac{1}{4}$ "	15 "	
1 "	1 "	$\frac{1}{2}$ fl. dram	
2 "	2 "	1 "	
3 "	4 "	$1\frac{1}{2}$ "	
6 "	8 "	3 "	
$1\frac{1}{2}$ "	Peg.	15 min.	
1 "	1 "	$\frac{1}{2}$ fl. dram.	

TABLE IV-B  
Imperial Apothecaries' Graduated Glass Measures.  
(See Rule 110).

Approximate internal diameter of measure at the graduation tested.		Verification	
		Error in excess or deficiency	
Inches	Cylindrical & Conical Shape	Class	Flasks & Burettes.
	Minims		Minims
4	25		$12\frac{1}{2}$
$3\frac{1}{2}$	21		$10\frac{1}{2}$
3	18		9
$2\frac{1}{2}$	14		7
2	11		$5\frac{1}{2}$
$1\frac{3}{4}$	9		$4\frac{1}{2}$
$1\frac{1}{2}$	7		$3\frac{1}{2}$
$1\frac{1}{4}$	6		3
1	4		2
$\frac{7}{8}$	3		$1\frac{1}{2}$
$\frac{3}{4}$	2		1
$\frac{5}{8}$	1		$\frac{1}{2}$
$\frac{1}{2}$	$\frac{1}{2}$		$\frac{1}{4}$

TABLE V  
Imperial Liquid Measures of Capacity (Gallons)  
(See Rule 110)

Verification				Inspection			
Error in excess only				Error in deficiency.			
Ordinary	Conical metal	Milk Churns	Enamelled Metal & Glass & E. Ware.	Capacity of measure to the Graduation tested	Ordinary	Conical Metal	E. M. Glass E. Ware.
15 fl. oz.	...	...	...	64 to 33 gal.	7½ oz.	...	...
10 "	5 fl. oz.	20 fl. oz.	...	32 to 20 "	5 "	2½ oz.	...
5 "	2½ "	10 "	...	Under 20 to 8 "	2½ "	1½ "	...
3 "	1½ "	6 "	...	" 8 to 4 "	1½ "	6 dr.	...
2 "	1 "	...	4 fl. oz.	3, 2 & 1 gal.	1 "	4 "	...
1 fl. dr	4 fl. dr.	...	2 "	½ gal. & ½ gal	4 dr	2 "	2 fl. oz.
4 "	2 "	...	1 "	Pint	2 "	1 "	1 "
3 "	1½ "	...	4 fl. dr.	½ Pint	1½ "	¾ "	4 dr.
2 "	1 "	...	2 "	Gill	1 "	½ "	2 "
1 "	½ "	...	1 "	¼ Gill	¾ "	15 min.	1 "
½ "	15 min.	...	½ "	¼ Gill	15 min.	7½ "	15 min.

Note :—For each additional 20 gallons or fraction thereof in the case of ordinary types of measures and additional of 5 fl. oz. shall be allowed in the case of error in excess on verification and half of that in the case of deficiency on inspection.

TABLE V A  
Petrol Pumps  
(See Rule 110).

Verification		Inspection	
Error in excess only		Error in Deficiency	
Capacity		Capacity	
15 fl. oz.	64 to 33 gallons	7½ fl. oz.	
10 "	32 to 20 "	5 "	
5 "	Under 20 to 8 gallons	2½ "	
3 "	Under 8 to 4 gallons	1½ "	
1 "	3, 2 and 1 gallon	¾ "	

TABLE VI  
MEASURES OF LENGTH  
(See Rule 110)

Verification			Inspection			
Error (in parts of an inch)		Denomination	Error (in parts of an inch)		Long or in Short or in Long or in Short	or in deficiency excess
End measures	Line Measures		End Measures	Line Measures		
Long or in Short or in Long or in Short or in excess deficiency	excess		Long or in Short or in Long or in Short or in excess deficiency	excess	excess	deficiency
..	..	0.3	..	..	1.2	1.2
..	..	0.2	..	..	0.8	0.8
..	..	0.05	..	..	0.2	0.2
0.03	0.015	0.02				
0.01	0.01	0.005	0.12	0.06	0.08	0.04
..	..	0.06	0.04	0.04	0.02	0.0408
			..	..	2.4	..
..	..	0.04	..	..	1.6	1.6
..	..	0.1	..	..	0.4	0.4
0.06	0.03	0.04	0.24	0.12	0.16	0.08
0.02	0.02	0.01	0.08	0.08	0.04	0.016

The allowance for error on "end" measures above 3 feet may be the same as those tolerated for "line" measures.

TABLE VII  
BEAM SCALES—CLASS A  
(See Rule 110).

Verification		Inspection	
Sensitiveness when fully loaded.	Greatest error allowed either in excess or deficiency when fully loaded.	Capacity.	Sensitiveness when fully loaded. Greatest error allowed either in excess or deficiency when fully loaded.
0.05	grain	1 oz. or $\frac{1}{32}$ sr.	0.15 grain
0.1	"	1 lb. or $\frac{1}{4}$ seer	0.3 " grain
0.5	"	7 lb. or $3\frac{1}{2}$ seers	1.5 " grain
1.5	grains	56 lb. or 28	4.5 " grain
.03	grain	$\frac{1}{2}$ oz. or 1 tola	.09 " grain
.015	"	$\frac{1}{4}$ oz. or $\frac{1}{2}$ tola	.045 " grain
.006	"	$\frac{1}{8}$ oz. or $\frac{1}{4}$ tola	.018 " grain

TABLE VIII  
Beam Scales (ClassB) and other Weighing Instruments  
(See Rule 110)

Verification		Capacity.			Inspection	
Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded	1	2	3	Sensitiveness when fully loaded	Greatest error allowed either in excess or in deficiency when fully loaded
					4	5
1/5 grain	1/5 grain	1 oz. or 1/32 seers			3/5 grain	2/5 grain
11/35 "	11/35 "	2 "	1/16 "		33/35 "	22/35 "
19/35 "	19/35 "	4 "	1/8 "		1.22/35 "	1.3/35 "
1 "	1 "	8 "	1/4 "		3 grains	2 grains
1 "	1 "	1 lb or 1/2 "	1/2 "		3 "	2 "
1 1/2 "	2 "	2 "	1 "		4 1/2 "	4 "
3 grains	4 grains	4 lb or 2 seers			9 grains	8 grains
4 "	6 "	7 "	3 1/2 "		12 "	12 "
6 "	9 "	10 "	5 "		18 "	18 "
8 "	12 "	14 "	7 "		24 "	24 "
11 "	16 "	20 "	10 "		33 "	32 "
15 "	22 "	28 "	14 "		45 "	44 "
25 "	40 "	56 "	28 "		75 "	80 "
1 1/2 drams	2 1/2 drams	1 cwt. or 1 1/2 mds.			4 1/2 drams	5 drams
2 1/2 "	3 1/2 "	2 "	3 "		7 1/2 "	7 "
3 "	4 1/2 "	3 "	4 "		9 "	9 "

TABLE VIII (Contd.)

1	2	3	4	5
3½ drams	5½ drams	4 cwt. or 5½ mds.	10½ drams	11 drams
4 "	6½ "	5 "	12 "	13 "
4½ "	7½ "	6 "	13½ "	15 "
5 "	8½ "	7 "	15 "	17 "
5½ drams	9½ drams	8 cwt. or 11 mds.	16½ drams	19 drams
6 "	10½ "	9 "	18 "	21 "
6½ "	11½ "	10 "	19½ "	23 "
9 "	16½ "	15 "	27 "	33 "
11½ "	21½ "	20 "	34½ "	43 "
16½ "	31½ "	30 "	49½ "	63 "
.1 grain	.1 grain	½ oz or 1 tola	.3 grain	.2 grain
.05 "	.05 "	¼ "	.15 "	.1 "
.03 "	.03 "	1/8 "	.09 "	.06 "



TABLE IX  
BEAM SCALES-CLASS C.  
(See Rule 110)

Verification.			Inspection.		
Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.	Capacity	Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.	
1	2	3	4	5	
$\frac{3}{5}$ grain	$\frac{3}{5}$ grain	$\frac{1}{32}$ seer	$\frac{1.4}{5}$ grain	$\frac{1.1}{5}$ grain	
$\frac{33}{35}$ "	$\frac{33}{35}$ "	$\frac{1}{16}$ "	$\frac{2.29}{35}$ "	$\frac{1.31}{35}$ "	
$\frac{1.22}{35}$ "	$\frac{1.22}{35}$ "	$\frac{1}{8}$ "	$\frac{4.31}{35}$ "	$\frac{3.9}{35}$ "	
3 "	3 "	$\frac{1}{4}$ "	9 "	6 "	
3 "	3 "	$\frac{1}{2}$ "	9 "	6 "	
$4\frac{1}{2}$ "	6 "	1 "	$13\frac{1}{2}$ "	12 "	
9 grain	12 grain	2 seer	$\frac{27}{35}$ grain	$\frac{24}{35}$ grain	
12 "	18 "	$3\frac{1}{2}$ "	$\frac{36}{35}$ "	$\frac{36}{35}$ "	
18 "	27 "	5 "	$\frac{54}{35}$ "	$\frac{54}{35}$ "	
24 "	36 "	7 "	$\frac{72}{35}$ "	$\frac{72}{35}$ "	
33 "	48 "	10 "	99 "	96 "	
45 "	66 "	14 "	135 "	132 "	
75 "	120 "	28 "	225 "	240 "	
$4\frac{1}{2}$ dr.	$7\frac{1}{2}$ dr.	$1\frac{1}{2}$ mds.	$13\frac{1}{2}$ dr.	15 dr.	
$7\frac{1}{2}$ "	$10\frac{1}{2}$ "	3 "	$\frac{1 \text{ oz.}}{11}$ dr.	1 oz.	
9 "	$13\frac{1}{2}$ "	4 "	1 "	1 "	

TABLE IX (Contd.)

1	2	3	4	5
10½ dr.	16½ dr.	4 cwt. or	1 oz. 15½ dr.	2 oz.
12 "	1 oz.	5 "	2 "	2 "
13½ "	1 " 3½ dr.	6 " "	2 " 8½ "	2 "
15 "	1 " 6½ "	7 " "	2 " 13 "	3 "
16½ dr.	1 " 9½ "	8 cwt. or	3 oz. 1½ dr.	3 oz.
	1 oz. 12½ dr.	9 " "	3 " 6 "	3 "
2 "	1 " 15½ "	10 " "	3 " 10½ "	4 "
3½ "	2 " 2½ "	15 " "	5 " 1 "	6 "
11 "	3 " 1½ "	20 " "	6 " 7½ "	8 "
2½ "	4 " 1½ "	30 " "	9 " 4½ "	11 "
1½ "	5 " 14½ "			
1 oz.				
1 oz.				
1 oz.				
2 oz.				
3 oz.				

TABLE IX-A  
Beam Scales-Class D  
(See Rule 31 & 110)

Verification		Capacity.		Inspection	
Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.	1	2	Sensitiveness when fully loaded.	Greatest error allowed either in excess or in deficiency when fully loaded.
1	2	3	4	5	
3 gr.	3 gr.	1 oz. or. 1/32 seer	9 gr.	6 gr.	
5 "	5 "	2 " 1/16	15 "	10 "	
8 "	8 "	4 " 1/8	24 "	16 "	
15 "	15 "	8 " 1/4	45 "	30 "	
15 "	15 "	1 lb. 1/2	45 "	30 "	
22 1/2 "	30 "	2 " 1	67 1/2 "	60 "	
45 "	60 "	4 " 2	135 "	120 "	
60 "	90 "	7 " 3 1/2	180 "	180 "	
90 "	135 "	10 " 5	270 "	270 "	
120 "	180 "	14 " 7	360 "	360 "	
6 dr.	8 1/2 "	20 " 10	1 oz. 2 gr.	1 oz. 1 1/2 dr.	
8 "	12 "	28 " 14	1 " 8	1 " 8	
14 "	6 "	56 " 28	2 " 10	2 " 12	
1 oz. 5 1/2 "	1 oz.	1 " cwt. 1 1/2 mds.	3 " 15 1/2	4 " 11	
2 " 5 1/2 "	2 " 4 1/2	2 " 3	7 " 1/2	6 " 9	
2 " 13 "	3 " 3 1/2	3 " 4	8 " 7	8 " 7	
3 " 4 1/2 "	4 " 2 1/2	4 " 5 1/2	9 " 13 1/2	10 " 5	
3 " 12 "	5 " 1 1/2	5 " 7	11 " 4	12 " 3	
4 " 3 1/2 "	6 " 1/2	6 " 8	12 " 10 1/2	14 " 1	

TABLE IX-A (Contd.).

1	2		3		4		5	
	7	oz. 15½ dr.	7	gwt. 10	mds.	1½ oz. 1	oz. 15	dr.
4 oz. 11	8	14½	8	"	"	15	1	15
5 " 2½	9	13½	9	"	"	1 lb.	1	1 lb. 1½ oz.
5 " 10	10	12½	10	"	"	1 " 2½	1	3½ "
6 " 1½	15	7½	15	"	"	1 " 9½	1	5½ "
8 " 7	1	4½	20	"	"	2 " 1	1	15 "
10 " 12½	1	13½	30	"	"	2 " 14½	2	8½ "
15 " 7½							3	11 "

TABLE X

Counter Machines  
(See Rule 10)

Verification

Holding capacity (loose material)  
of balancing box shall not  
exceed (1 per cent of capacity).

Sensitiveness when fully loaded.

Greatest error allowed in excess  
or in deficiency when fully  
loaded.

	2.56	drams	20	grains	30	grains
	5.12	"	28	"	1½	drams
	10.24	"	40	"	2	"
1 oz.	1.92	"	2	drams	3	"
1 "	9.6	"	2½	"	3½	"
2 "	3.84	"	3	"	4½	"
3 "	3.2	"	3.3/7	"	5.1/7	"
4 "	7.68	"	4	"	6	"
6 "	6.4	"	4.6/7	"	7.2/7	"
8 "	15.36	"	6	"	9	"
13 "	7.04	"	7	"	12½	"
17 "	14.72	"	8	"	16	"

TABLE X (Contd.)

<i>Capacity of Machine.</i>		<i>Sensitiveness when fully loaded.</i>		<i>Greatest error allowed in excess or in deficiency when fully loaded.</i>		<i>Inspection</i>		<i>Minimum amt. of "fall" either way.</i>	
1 lb. or	$\frac{1}{2}$ seer	60	grains drams	60	grains drams	$\frac{1}{2}$	inch.	$\frac{1}{2}$	inch.
2	1 "	*3	"	3	"	$\frac{1}{2}$	"	$\frac{1}{2}$	"
4	2 seers	*4 $\frac{1}{2}$	"	4	"	$\frac{1}{2}$	"	$\frac{1}{2}$	"
7	3 $\frac{1}{2}$ "	6	"	6	"	5/16	"	5/16	"
10	5 seers	7 $\frac{1}{2}$	"	7	"	3/8	"	3/8	"
14	7 "	9	"	9	"	3/8	"	3/8	"
20	10 "	10.2/7	"	10.2/7	"	3/8	"	3/8	"
28	14 "	12	"	12	"	3/8	"	3/8	"
40	20 "	14.4/7	"	14.4/7	"	7/16	"	7/16	"
56	28 "	18	"	18	"	7/16	"	7/16	"
84	42 "	21	"	25	"	$\frac{1}{2}$	"	$\frac{1}{2}$	"
1 cwt.	55 "	24	"	32	"	$\frac{1}{2}$	"	$\frac{1}{2}$	"
*3.07188 drams exactly.		;		*4.3884 drams exactly.					

TABLE XI

Note:—The following tables of allowances for Spring Balances are calculated on the basis laid down in Rule 92.

Spring Balances  
(See Rule 110)

Range of adjustment on adjustable indicator shall not exceed (1 per cent of capacity).		Weight corresponding to interval between consecutive gra- duations must not exceed.		Minimum diameter of effective circle on dial of one revolution allowing a blank space of $\frac{1}{4}$ inch at end of graduations.	
2.56	drams	2	drams or $\frac{1}{4}$ tola	2.8	inches
5.12	"	4	" " $\frac{1}{2}$ "	2.8	"
10.24	"	4	" " $\frac{1}{2}$ "	5.33	"
12.8	"	4	" " $\frac{1}{2}$ "	6.6	"
15.36	"	4	" " $\frac{1}{2}$ "	7.88	"
1 oz. 1.92	drams	4	drams or $\frac{1}{2}$ tola	9.15	inches
1 " 9.6	"	8	" " 1 "	6.6	"
1 " 14.72	"	8	" " 1 "	7.88	"
2 " 3.84	"	8	" " 1 "	9.15	"
2 " 6.4	"	8	" " 1 "	9.8	"
3 " 3.2	drams	1	oz. or $2\frac{1}{4}$ tolas	6.6	inches
3 " 13.44	"	1	" " $2\frac{1}{4}$ "	7.88	"
4 " 0.0	"	1	" " $2\frac{1}{4}$ "	8.2	"
4 " 7.68	"	1	" " $2\frac{1}{4}$ "	9.15	"
4 " 12.8	"	1	" " $2\frac{1}{4}$ "	9.8	"

TABLE XI (Contd.)

Capacity		Verification		Inspection	
		Maximum error		Maximum error.	
1 lb. or $\frac{1}{2}$ seer		30 grains		60 grains	
2 " " 1 "		1 $\frac{1}{2}$ drams		3 drams	
4 " " 2 "		2 "		4 "	
5 " " 2 $\frac{1}{2}$ "		2.1/3 "		4.2/3 "	
6 " " 3 "		2.2/3 "		5.1/3 "	
7 lb. or 3 $\frac{1}{2}$ seers		3 drams		6 drams	
10 " " 5 "		3 $\frac{1}{2}$ "		7 "	
12 " " 6 "		4 "		8 "	
14 " " 7 "		4 $\frac{1}{2}$ "		9 "	
15 " " 7 $\frac{1}{2}$ "		4.17/28 "		9.3/14 "	
20 lb. or 10 seers		5.1/7 drams		10.2/7 drams	
24 " " 12 "		5.4/7 "		11.1/7 "	
25 " " 12 $\frac{1}{2}$ "		5.19/28 "		11.5/14 "	
28 " " 14 "		6 "		12 "	
30 " " 15 "		6.3/14 "		12.3/7 "	

In the above the minimum width apart of the graduations shall not be less than 1/16th of an inch.

TABLE XI (Contd.)

Capacity.		Range of adjustment on adjustable indicator shall not exceed (1% of the capacity).	Weight corresponding to interval between consecutive graduation should not exceed.	Minimum diameter of effective circle on dial of one revolution allowing a blank space of $\frac{1}{2}$ inch at end of graduation.	Verification	Inspection
1	2	3	4	5	6	
40 lb. or	20 seers	6.4 oz.	2 oz.	12.97 inches		
50 "	25 "	8 "	2 "	16.16 "		
56 "	28 "	8.96 "	2 "	18.07 "		
60 "	30 "	9.6 "	2 "	19.34 "		
100 "	49 "	1 lb. 0.0 "	8 "	8.2 "		
112 "	55 "	1 " 1.92 "	8 "	9.15 "		
120 "	59 "	1 " 3.2 "	8 "	9.79 "		
140 "	68 "	1 " 6.4 "	8 "	11.38 "		
150 "	73 "	1 " 8 "	8 "	12.18 "		
160 "	78 "	1 " 9.6 "	8 "	12.97 "		
200 "	98 "	2 " 0.0 "	1 lb.	8.2 "		
224 "	110 "	2 " 3.84 "	1 "	9.15 "		
250 "	122 "	2 " 8 "	1 "	10.19 "		
280 "	137 "	2 " 12.8 "	1 "	11.38 "		
300 "	146 "	3 " 0.0 "	1 "	12.18 "		
336 "	164 "	3 " 5.76 "	1 "	13.61 "		
350 "	171 "	3 " 8.0 "	1 "	14.17 "		
400 "	195 "	4 " 0.0 "	2 "	8.2 "		
448 "	218 "	4 " 8.0 "	2 "	9.15 "		
450 "	219 "	4 " 7.68 "	2 "	9.2 "		
					A weight corresponding to a quarter of the interval between consecutive	
					A weight corresponding to a half of the interval between consecutive	



TABLE XI—(Contd.)

1	2	3	4	5	6
500 lb. or 244 seers	5 lb.	2 lb.	10.19 inches	between consecutive graduations.	graduations.
560 " " 273	5 " 9.6	2 " "	11.38	"	"
600 " " 292	6 " 0.0	2 " "	12.18	"	"
800 " " 390	8 " 0.0	4 " "	8.2	"	"
1000 " " 498	10 " 0.0	5 " "	8.2	"	"

In the above minimum width apart of the graduations shall not be less than 1/8th of an inch.

TABLE XII  
Steel Yards  
(See Rule 110)

Verification			Inspection		
Sensitiveness when fully loaded.			Sensitiveness when fully loaded.		
Greatest error allowed in excess or deficiency when fully loaded.			Greatest error allowed in excess or deficiency when fully loaded.		
12 drs.	18 drs.	Capacity.	2 oz. 4 drs.	2 oz. 4 drs.	
14 "	25 "	56 lb. or 28 sr.	2 "	2 "	
1 oz.	2 oz.	84 "	2 "	10 "	
1 "	2 "	112 "	3 "	" "	
1 "	2 "	150 "	3 "	" "	
1 "	2 "	200 "	4 "	9 "	
1 "	3 "	250 "	4 "	2 "	
2 "	4 "	300 "	6 "	14 "	
2 "	4 "	350 "	6 "	" "	
2 $\frac{1}{2}$ "	4 $\frac{1}{2}$ "	400 "	6 $\frac{1}{2}$ "	" "	
2 $\frac{1}{2}$ "	5 "	450 "	7 $\frac{1}{2}$ "	" "	
2 $\frac{3}{4}$ "	5 $\frac{1}{4}$ "	500 "	8 $\frac{1}{4}$ "	" "	
3 $\frac{1}{4}$ "	6 $\frac{1}{4}$ "	600 "	9 $\frac{1}{4}$ "	" "	
4 "	8 "	800 "	12 "	" "	
				16 "	

TABLE XIII  
Dead-weight Machines.  
(See Rule 110)

(For this purpose "Dead-weight" includes contracted or unequal armed Coal machines.)

		Verification.				Inspection.			
		Vibrating Machines		Accelerating Machines		Vibrating Machines		Accelerating machines.	
	Loose balancing material in box shall not exceed ( $\frac{3}{4}$ per cent. of capacity).	Sensitivity when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.	Weight required to bring back the steel-position of greatest displacement when fully loaded	Capacity of machine.	Sensitivity when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.
1 lb.	13.44 oz.	$\frac{1}{2}$ oz.	1 oz.	1 $\frac{1}{2}$ oz.	2 oz.	10wt. 1 $\frac{1}{2}$ mds.	1 $\frac{1}{2}$ oz.	2 oz.	2 oz.
2 "	10.88 "	$\frac{3}{4}$ "	1 $\frac{1}{2}$ "	1 $\frac{1}{2}$ "	3 "	2 "	2 $\frac{1}{4}$ "	3 "	3 "
3 "	8.32 "	1 "	2 "	2 "	4 "	3 "	3 "	4 "	4 "
4 "	5.76 "	1 $\frac{1}{4}$ "	2 $\frac{1}{2}$ "	2 $\frac{1}{2}$ "	5 "	4 "	3 $\frac{1}{4}$ "	5 "	5 "
5 "	3.2 "	1 $\frac{1}{2}$ "	3 "	3 "	6 "	5 "	4 $\frac{1}{2}$ "	6 "	6 "
8 "	14.08 "	2 "	4 "	4 "	8 "	7 "	6 "	8 "	8 "
10 "	6.4 "	3 "	5 "	6 "	12 "	10 "	9 "	12 "	12 "
12 "	1.28 "	3 $\frac{2}{5}$ "	6.4/5 "	6.4/5 "	13.3/5 "	12 "	10.1/5 "	13.3/5 "	13.3/5 "
16 "	9.6 "	4 "	8 "	8 "	16 "	15 "	12 "	16 "	16 "
25 "	12.8 "	5 $\frac{1}{2}$ "	10 "	10 "	20 "	20 "	15 "	20 "	20 "
33 "	3.2 "	6 "	13 "	13 "	26 "	30 "	19 $\frac{1}{2}$ "	26 "	26 "
42 "	9.6 "	8 "	16 "	16 "	32 "	40 "	24 "	32 "	38 "
		10 "	20 "	20 "	40 "	50 "	30 "	40 "	40 "

Vib.M/cs.  
5/8 in.  
both ways.

Accel.  
M/cs.  
7/8 in,  
one way.

TABLE XIV  
**Platform Machine**  
 (See Rule 110).  
 Verifications.

Range of balancing arrangement.			Vibrating Machines.		Accelerating Machines.	Platform machines filled with Dials.
Maximum Minimum $\frac{1}{8}$ per cent. $\frac{1}{2}$ per cent. $\frac{1}{4}$ per cent. "each of capacity way".			Capacity of Machine		Sensitivity when fully loaded	Greatest error allowed in excess or deficiency when fully loaded.
Minimum travel of steel-yard in career.			to the nearest $\frac{1}{4}$ ounce.		Weight required to bring back the steel-yard from position of greatest displacement when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.
	lb.	oz.	lb.	oz.		
Vib. M/cs.-3/8 in. both ways.	1	2	9	4 $\frac{1}{2}$	1 oz.	1 oz.
Accel. M/cs. 5/8 in. one way.	1	11	2	9	1 $\frac{1}{2}$ oz.	1 $\frac{1}{2}$ oz.
	2	4	1	2	2 oz.	2 oz.
	2	13	1	6 $\frac{1}{2}$	2 $\frac{1}{2}$ oz.	2 $\frac{1}{2}$ oz.
	3	15	1	15 $\frac{1}{2}$	3 oz.	3 oz.
	5	9 $\frac{1}{2}$	2	12 $\frac{3}{4}$	4 oz.	4 oz.
	6	11 $\frac{1}{2}$	3	5 $\frac{3}{4}$	6 oz.	6 oz.
	8	6 $\frac{1}{2}$	4	3 $\frac{1}{4}$	8 oz.	8 oz.
	11	3 $\frac{3}{4}$	5	9 $\frac{1}{2}$	12 oz.	12 oz.
	16	12 $\frac{3}{4}$	8	6 $\frac{1}{2}$	13.3/5 oz.	13.3/5 oz.
	22	6 $\frac{1}{2}$	11	3 $\frac{1}{4}$	16 oz.	16 oz.
	28		14		20 oz.	20 oz.
			7		26 oz.	26 oz.
					32 oz.	32 oz.
					40 oz.	40 oz.

TABLE XIV (Contd.).

## INSPECTION.

Capacity of Machines.	Vibrating Machines.		Accelerating Machines.		Platform Machines fitted with dials
	Sensitiveness when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.	
1 cwt. or 1½ mds.	1½ oz.	2 oz.	2 oz.	2 oz.	4 oz.
2 cwt. or 3 mds.	2½ oz.	3 oz.	3 oz.	3 oz.	6 oz.
3 cwt. or 4 mds.	3 oz.	4 oz.	4 oz.	4 oz.	8 oz.
4 cwt. or 6 mds.	3¾ oz.	5 oz.	5 oz.	5 oz.	10 oz.
5 cwt. or 7 mds.	4½ oz.	6 oz.	6 oz.	6 oz.	12 oz.
7 cwt. or 10 mds.	6 oz.	8 oz.	8 oz.	8 oz.	16 oz.
10 cwt. or 14 mds.	9 oz.	12 oz.	12 oz.	12 oz.	24 oz.
12 cwt. or 17 mds.	10.1/5 oz.	13.3/5 oz.	13.3/5 oz.	13.3/5 oz.	27.1/5 oz.
15 cwt. or 21 mds.	12 oz.	16 oz.	16 oz.	16 oz.	32 oz.
20 cwt. or 28 mds.	15 oz.	20 oz.	20 oz.	20 oz.	40 oz.
30 cwt. or 41 mds.	19½ oz.	26 oz.	26 oz.	26 oz.	52 oz.
40 cwt. or 55 mds.	24 oz.	32 oz.	32 oz.	32 oz.	64 oz.
50 cwt. or 69 mds.	30 oz.	40 oz.	40 oz.	40 oz.	80 oz.

TABLE XV  
WEIGH BRIDGES.  
(See Rule 110)

Verification		Range of balancing arrangement.		
Minimum travel of steel-yard in career.		Minimum $\frac{1}{2}\%$ of capacity		
		Maximum $\frac{1}{2}\%$ of capacity.	Minimum $\frac{1}{2}\%$ of capacity	$\frac{1}{3}$ each way.
Accel. M/cs- $\frac{3}{4}$ in one way. Vib. Mc/s- $\frac{1}{2}$ in both ways.	11.2 lb.	11.2 lb.	5.6 lb.	2.8 lb.
	22.4 lb.	22.4 lb.	11.2 lb.	5.6 lb.
	56 lb.	56 lb.	28 lb.	14 lb.
	1 cwt.	1 cwt.	56 lb.	28 lb.
	2 cwt.	2 cwt.	1 cwt.	56 lb.
	2 $\frac{1}{2}$ cwt.	2 $\frac{1}{2}$ cwt.	1 $\frac{1}{4}$ cwt.	70 lb.
	3 cwt.	3 cwt.	1 $\frac{1}{2}$ cwt.	84 lb.
	3 $\frac{1}{2}$ cwt.	3 $\frac{1}{2}$ cwt.	1 $\frac{3}{4}$ cwt.	98 lb.
	4 cwt.	4 cwt.	2 cwt.	1 cwt.
	5 cwt.	5 cwt.	2 $\frac{1}{2}$ cwt.	1 $\frac{1}{4}$ cwt.
	7 $\frac{1}{2}$ cwt.	7 $\frac{1}{2}$ cwt.	3 $\frac{3}{4}$ cwt.	210 lb.
	10 cwt.	10 cwt.	5 cwt.	2 $\frac{1}{2}$ cwt.
	20 cwt.	20 cwt.	10 cwt.	5 cwt.

TABLE XV (Contd.)

Capacity of Machine	Vibrating Machines		Accelerating Machines. fitted with dials	
	Sensitiveness when fully loaded	Greatest error allowed in excess or deficiency when fully loaded.	Weight required to bring back the steel-yard from position of greatest displacement when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.
1 tons or 28 mds.	1½ lb.	1½ lb.	4 lb.	3 lb.
2 tons or 55 mds.	2 lb.	2 lb.	5 lb.	4 lb.
5 tons or 138 mds.	3½ lb.	4 lb.	10 lb.	8 lb.
10 tons or 275 mds.	5 lb.	6 lb.	15 lb.	12 lb.
20 tons or 550 mds.	7 lb.	10 lb.	25 lb.	20 lb.
25 tons or 688 mds.	8 lb.	12 lb.	30 lb.	24 lb.
30 tons or 825 mds.	8½ lb.	13½ lb.	34 lb.	27 lb.
35 tons or 963 mds.	9 lb.	15 lb.	37 lb.	30 lb.
40 tons or 1100 mds.	9½ lb.	16 lb.	40 lb.	32 lb.
50 tons or 1375 mds.	10 lb.	18 lb.	45 lb.	36 lb.
75 tons or 2063 mds.	12 lb.	23 lb.	58 lb.	46 lb.
100 tons or 2750 mds.	14 lb.	28 lb.	70 lb.	56 lb.
200 tons or 5500 mds.	18 lb.	42 lb.	105 lb.	84 lb.

TABLE XV (Contd.)

Inspection				
Capacity of Machine	Vibrating Machines		Accelerating Machines.	
			Weight-bridges fitted with dials	
	Sensitiveness when fully loaded	Greatest error allowed in excess or deficiency when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.
1 tons or 28 mds.	4½ lb.	3 lb.	3 lb.	6 lb.
2 tons or 55 mds.	6 lb.	4 lb.	4 lb.	8 lb.
5 tons or 138 mds.	10½ lb.	8 lb.	8 lb.	16 lb.
10 tons or 275 mds.	15 lb.	12 lb.	12 lb.	24 lb.
20 tons or 550 mds.	21 lb.	20 lb.	20 lb.	40 lb.
25 tons or 688 mds.	24 lb.	24 lb.	24 lb.	48 lb.
30 tons or 825 mds.	25½ lb.	27 lb.	27 lb.	54 lb.
35 tons or 963 mds.	27 lb.	30 lb.	30 lb.	60 lb.
40 tons or 1100 mds.	28½ lb.	32 lb.	32 lb.	64 lb.
50 tons or 1375 mds.	30 lb.	36 lb.	36 lb.	72 lb.
75 tons or 2063 mds.	36 lb.	46 lb.	46 lb.	92 lb.
100 tons or 2750 mds.	42 lb.	56 lb.	56 lb.	112 lb.
200 tons or 5500 mds.	54 lb.	84 lb.	84 lb.	168 lb.



TABLE XVI  
Crane Machines.  
(See Rule 110)

	Verification.			
	Lever Machines (Vibrating)	Crane Machines fitted with dials.	Hydraulic Crane Machines.	
Range of balancing arrangement shall not exceed (2% of capacity)	Sensitiveness when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded	Greatest error allowed in excess or deficiency when fully loaded	
2.24 lb.	$\frac{1}{2}$ oz.	1 oz.	2 oz.	
11.2 "	$1\frac{1}{2}$ "	3 "	6 "	
22.4 "	3 "	6 "	12 "	
44.8 "	$1\frac{1}{2}$ "	$1\frac{1}{2}$ "	3 lb.	
89.6 "	2 "	2 "	4 "	
2 gwt.	$3\frac{1}{2}$ "	4 "	8 "	
4 "	5 "	6 "	12 "	
8 "	7 "	10 "	20 "	
10 "	8 "	12 "	24 "	
12 "	$8\frac{1}{2}$ "	$13\frac{1}{2}$ "	27 "	
14 "	9 "	15 "	30 "	
16 "	$9\frac{1}{2}$ "	16 "	32 "	
20 "	10 "	18 "	36 "	
30 "	12 "	23 "	46 "	
40 "	14 "	28 "	56 "	
80 "	18 "	42 "	84 "	

One HALF the weight represented by the interval between consecutive graduation marks.

TABLE XVI (Contd)

		Inspection.			
		Lever Machines (Vibrating)	Crane Machines fitted with dials.	Hydraulic Crane Machines.	
Capacity of Machines.		Sensitiveness when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded.	Greatest error allowed in excess or deficiency when fully loaded
1 cwt.	1½ mds.	1½ oz.	2 oz.	4 oz.	
5 "	7 "	4½ "	6 "	12 "	
10 "	14 "	9 "	12 "	1½ lb.	
1 ton	28 "	4½ lb.	3 lb.	6 "	
2 tons	55 "	6 "	4 "	8 "	
5 "	138 "	10½ "	8 "	16 "	
10 "	275 "	15 "	12 "	24 "	
20 "	550 "	21 "	20 "	40 "	
25 "	688 "	24 "	24 "	48 "	
30 "	825 "	25½ "	27 "	54 "	
35 "	963 "	27 "	30 "	60 "	
40 "	1100 "	28½ "	32 "	64 "	
50 "	1375 "	30 "	36 "	72 "	
75 "	2063 "	36 "	46 "	92 "	
100 "	2750 "	42 "	56 "	112 "	
200 "	5500 "	54 "	84 "	168 "	

A WEIGHT represented by the interval between consecutive graduation marks.

TABLE XVII  
Automatic Machine.  
(See Rule 110)

Use.	Capacity.	Error.
Weighing small loads of tea, coffee, etc.	1 oz., or 1/32 seer and upwards.	1% of the load in excess only.
Weighing grain etc.	10 lb., or 5 seers and upwards.	1% of the load excess or deficiency.
Weighing coal etc.	100 lb., or 50 seers or upwards.	1% of the load in excess or deficiency.
Totalising Machines used for weighing Coal etc.	10 cwt, or 14 mds., and upwards.	1% of the total load of 40 weighings in excess or deficiency.

The allowance in these cases are subject to the proviso that the error tolerated shall not exceed the weight represented by half a minimum Division marked on the dial or steel-yard.

TABLE XVIII  
Period of allowance  
(See Rule 54.)

6 months (a)	2 years (b)	5 years (c)
Manufacturers' and dealers' stocks of weights and measures and weighing instruments.	All the following in use for trade weights and measures and weighing instruments other than those mentioned in column (c),	1. Steel yards. (a) Reversible and with 3 hooks (b) Accelerating. (c) Counter steel-yard. (d) Without zero graduation. (e) Less than 56 lb. capacity.

TABLE XIX  
Permissible Abbreviations of denominations.  
(See Rule 57)

(a) <i>Weights (Seers &amp; Maunds)</i>	
Maund.	Md.
Seer.	Sr.
Tola.	To.
Grain.	gr.
(b) <i>Weights (Avoirdupois)</i>	
Hundred Weight	cwt.
Pound.	lb.;
Ounce.	oz.
Dram.	dr.
Grain.	gr.
(c) <i>Liquid measures of capacity.</i>	
Fluid Seer.	Fl. Sr.
Fluid Ounce.	Fl. oz.
Fluid Dram.	Fl. dr.
(d) <i>Measures of length.</i>	
Yard.	Yd.,
Foot.	ft.
Inch.	in.
(e) <i>Apothecaries Weights.</i>	
Ounce.	Oz. Apoth
4 drachms.	3iv.
2	3ij.
1	3i.
2	3ij.
1½ Scruples or ⅓ Drachm.	3fs.

TABLE XIX (Contd.)

1 Scruple.	℥i.
$\frac{1}{2}$ Scruple.	℥fs.
(f) <i>Bullion and Rati Weights.</i>	
Bullion Tola.	Bl. To.
Rati.	Rt.
Val.	vl.
(g) <i>Apothecaries Measures.</i>	
Fluid Ounces.	Fl. oz.
Fluid Drachm.	Fl. dr.
Minim.	Mn.

TABLE XX  
Amount of error permissible in secondary and working standards.  
(See Rule 109)

Denomination.			Amount of error tolerated in excess half the amount tolerated in deficiency.	
1			1	2
Above	1 Maund	and not exceeding 1 Maund	1 Maund	8 grains.
"	1	"	1	8
"	$\frac{1}{2}$	"	$\frac{1}{2}$	6
"	$\frac{1}{4}$	"	$\frac{1}{4}$	4
"	$\frac{1}{8}$	"	$\frac{1}{8}$	3
"	$\frac{1}{16}$	"	$\frac{1}{16}$	2
"	Sr.	"	2 Seers.	2
"	"	"	1	1
"	"	"	$\frac{1}{2}$	0.5
"	"	"	$\frac{1}{4}$	0.3
"	$\frac{1}{8}$	"	$\frac{1}{8}$	0.2
"	$\frac{1}{16}$	"	$\frac{1}{16}$	0.1
"	$\frac{1}{32}$	"	$\frac{1}{16}$	0.4
"	Tolas	"	8 Tolas	0.2
"	"	"	5	0.1
"	"	"	2	0.05
"	Tola	"	1	0.02
"	"	"	$\frac{1}{2}$	0.01
"	"	"	$\frac{1}{4}$	0.005
"	$\frac{1}{8}$	"	$\frac{1}{8}$	0.003
"	$\frac{1}{16}$	"	$\frac{1}{16}$	0.001
"	$\frac{1}{12}$	"	"	"

TABLE XX (Contd.)

1

2

*Avoirdupois Weights.*

Above 56 lb.

Above 56 lb.	and not exceeding	56 lb.	grains.
28	28	lb.	5
14	"	"	4
2	"	"	3
1	"	"	2
8	"	"	1 grain.
oz.	"	"	0.5
oz.	"	oz.,	0.2
8	"	"	0.1
1 dram	"	drams	0.05
1/2	"	dram	0.02

*Liquid Measures.*

Above 8 seers.

Above 8 seers.	and not exceeding	8 seers.	grains.
4	8	seers.	100
2	4	"	55
1	2	"	28
1/2	1	"	14
1/4	1/2	"	12
1/8	1/4	"	8
1/16	1/8	"	6
1/32	1/16	"	4
"	1/32	"	3
"	"	"	2

1		2	
<i>Liquid Measures. (Gallons)</i>			
Above 24 Gallons.			
"	16 gallons and not exceeding	24 gallons.	1024 grains.
"	8 "	16 "	768 "
"	6 "	8 "	512 "
"	4 "	6 "	256 "
"	2 "	4 "	192 "
"	1 "	2 "	128 "
Gallon and not exceeding	"	1 "	64 "
Above 1/2 Gallon	"	1/2 "	32 "
Quart	"	Quarter	16 "
Pint	"	Pint	12 "
Gill	"		8 "
Not exceeding Gill	"		4 "
<i>Length Measures.</i>			
Above	10 feet		0.1 inch.
"	3 feet and not exceeding	10 feet	0.02 "
"	1 inch "	3 feet	0.01 "
	Not exceeding	1 inch	0.001 "

TABLE XX-A.

Amount of error to be tolerated in selling grey, white or coloured cotton piece goods.  
(See Rule 111)

1. Where sale is effected on the basis of a single length stamped on the cloth.

*Described length of the piece.*

*Actual length must not be less than the described length by more than the following margins.*

Ten yards and under  
Above ten yards and up to twenty-three yards

4 inches.  
5 inches.



Above 23 and up to 36 yards  
Above 36 and up to 47 yards  
Above 47 yards

7 inches.  
9 inches.  
18 inches.

Provided that when more than one piece is sold to the same person at a time the average length of the goods in question shall not be less than that purported to be sold.

2. Where sale is effected of cloth (on which maximum and minimum length are stamped) on the basis of the described length.

*Described length of piece (maximum)*

*Actual length must not be less than the described maximum length by more than the following margins*

Thirty-five yards and under	9 inches.
Above 35 yards and up to 47 yards	18 inches.
Above 47 yards	36 inches.

3. Where sale is effected on the basis of stamped width.

*Width of the piece.*

*Actual width must not be less than the described width by more than the following margins.*

40" and under	$\frac{1}{2}$ inch.
Over 40" and under 59"	$\frac{3}{4}$ inch.
52" and over	1 inch.

Provided that when more than one piece is sold to the same person at a time the average width of goods sold shall not be less than the stamped width,

#### TABLE XXI.

Charges to be levied for verifying and stamping Weights and Measures of the Public.

(See Rule 112)

<i>Capacity.</i>	<i>Charge.</i>
Tola weights.	
Val and Rati weights each	

1/32 tola each, 1/16 tola, 1/8 tola, 1/4 tola, 1/2 tola, 5 tola,  
10 tola, 20 tola, 50 tola, each  
100 tola, 200 tola, 300 tola, 400 tola, 500 tola, each  
1000 tola, 2000 tola, 3000 tola

*Avoirdupois Weights*

Grain weights each  
1/8 dram, 1/4 dram, 1/2 dram, 1 dram each  
1/8 oz. 1/4 oz., 1/2 oz., 2 oz., 4 oz., 7 oz., and 1 lb., each  
2 lb., 4 lb., 7 lb., each  
14 lb., 28 lb., 56 lb.,

*Apothecaries' weights.*

1/2 Scruple, 1 scruple and 2 scruple each  
1/16 oz. (Apoth), 1/8 oz., 1/4 oz., and 1/2 oz., 2 oz., 4 oz., 8 oz. each

*Measures of length.*

Each measure below 3 feet  
Each measure of 3 feet or a yard and not exceeding 25 feet  
Each measure above 25 feet

*Area and volume.*

1/8 brass measure each

1/4 " " "  
1/2 " " "  
1 " " "

*Seer and Maund Weights.*

1/32 sr., 1/16 sr., 1/8 sr., 1/4 sr., 1/2 sr., each  
1 sr., 2 sr., 5 sr., each  
10 sr., 20 sr., 1 maund., each

*Liquor Measures.*

1/4 liquor dram measures  
1/2 liquor dram measure  
1, 2, 4, 8 liquor dram measures each

Annas 2.  
Annas 7.  
Annas 12.

Anna 1.  
Anna 1.  
Annas 2.  
Annas 7.  
Annas 12.

Anna 1.  
Annas 2.

Annas 2.  
Annas 7.  
Re. 1/-.

Annas 3.  
Annas 3.  
Annas 3.  
Annas 9.

Annas 2.  
Annas 7.  
Annas 12.

Anna 1.  
Anna 1.  
Annas 3.

Charge<sup>3</sup>

Capacity

*Apothecaries Measures.*

1 Minim to and including 30 Minims each

Above  $\frac{1}{2}$  fluid drachm and including 4 fluid drachms eachAnna 1,  
Annas 3.*Gallon Measures.*

Pint measures each

Each measures not exceeding  $\frac{1}{2}$  Gl.Each measures above  $\frac{1}{2}$  and not exceeding 8 gallons

Measures above 8 gallons and not exceeding 25 gallons

When the capacity exceeds 25 gallons then each additional 25 gallons or part thereof

Annas 3.  
Annas 3.  
Annas 9.  
Re. 1/-.

Re. 1/-.

*Liquid measures seers series.*1/64 seer, 1/16 sr., 1/8 sr.,  $\frac{1}{2}$  sr., measures each

1 sr., 2 sr., 4 sr., 5 sr., up to 40 srs. capacity each measures

Annas 3.  
Annas 9.

## TABLE XXII

Fees for verifying and stamping weighing instruments.  
(See Rule 113).

Weighing instruments other than Beam Scales of Class C and D.

Capacity

Charge.

Above 25 tons and not exceeding 50 tons

Rs. 40/-.

When the capacity exceeds 50 tons than each additional 25 tons or part of 25 tons

Rs. 10/-.

Above 10 tons and not exceeding 25 tons

Rs. 30/-.

TABLE XXII (Contd.)

Capacity	Charge
Above 5 tons and not exceeding 10 tons	Rs. 20/-/-.
Above 1 ton and not exceeding 5 tons	Rs. 15/-/-.
Above 5 cwt., and not exceeding 1 ton	Rs. 7/8/-.
Above 1 cwt., and not exceeding 5 cwt.,	Rs. 5/-/-.
Above 56 lb., and not exceeding 1 cwt.,	Rs. 3/-/-.
Above 14 lb., and not exceeding 56 lb.,	Rs. 2/-/-.
Above 1 lb., and not exceeding 14 lb.,	Rs. 1/8/-.
Not exceeding 1 lb.,	Rs. 1/2/-.
<p>Charges for weighing instruments with graduations marked for seer and maunds weights will be on the basis of above fees; 1 ton for this purpose being taken as equivalent to 28 maunds.</p> <p><i>Note:</i>—1. Where a weighing instrument has two sets of graduation, one marked for seers and maunds and the other for lb. and cwt., two separate fees are payable.</p> <p>2. Where two weight tables or platform are connected to one steel-yard or office mechanism two separate fees in accordance with the capacities of the respective weight tables or platforms are payable.</p>	
Beam scales of classes C and D.	
Capacity	Charge.
Above 1 ton	Rs. as. ps.
Above 5 cwt., and not exceeding 1 ton	15—0—0
Above 1 cwt., and not exceeding 5 cwt.	6—0—0
Above 56 lb., and not exceeding 1 cwt.	4—0—0
Above 14 lb., and not exceeding 56 lb.	2—4—0
Above 1 lb., and not exceeding 14 lb.	1—8—0
Not exceeding 1 lb.	1—0—0
	0—12—0

## TABLE XXII A.

Fees for verifying and stamping of measuring Instrument

(See Rule 113)

## MEASURING INSTRUMENTS (PETROL PUMPS)

<i>Capacity.</i>	<i>Charges.</i>
1. Not exceeding 5 gallons.	Rs. 5-0-0
Exceeding 5 gallons but not exceeding 10 gallons.	Rs. 7-8-0
3. Exceeding 10 gallons but not exceeding 20 gallons.	Rs. 15-0-0
4. Exceeding 20 gallons for each additional 10 gallons or part thereof over 20 gallons.	Rs. 15-0-0 plus Rs. 5/-

## NOTIFICATIONS UNDER WEIGHTS AND MEASURES ACT

*Published in Raj. Raj-patra Dated September 1, 1956 part I (b) at page 1 :*

(Authorised by his Highness the Rajpramukh).

### NOTIFICATION

Jaipur, August 28, 1956

*No. F. 26 (1) CI/(B)/52.*—In exercise of the powers conferred by sub-section (1) of section 1 of the Rajasthan Weights and Measures Act, 1954 (Rajasthan Act XIX of 1954), the Government of Rajasthan is hereby pleased to direct that Chapters I, II, III and V of the said Act shall come into force in the State on the 1st day of September, 1956.

Chapter IV shall come into force six months after the aforesaid date as provided in the Act itself.

By Order of

His Highness the Rajpramukh,

A. K. ROY,

*Secretary to the Government.*

*Published in Raj. Raj-patra Dated April 11, 1957 part IV (c) at page 13 :*

Jaipur, March 27, 1957.

*No. D. 2704/F.26 (1)/CI/B/52.*—The words "These rules shall come into force with immediate effect" occurring in the notification No. D. 2353/56/F- 26 (1) CI (B)/52 dated February 10, 1956 published in the Rajasthan Raj Patra Part IV-C dated the 28th July, 1956 and the words "and shall come into force on their publication in the Rajasthan Gazette" occurring in rule 1 of the Rajasthan Weights and Measures Rules, 1956 published under the aforesaid notification, shall be omitted.

By Order of the Governor,

A. K. ROY,

*Secretary to the Government.*

*Published in Raj. Raj-patra Dated November 7, 1957 part IV (c) at page 618 :*

## INDUSTRIES (A) DEPARTMENT.

### NOTIFICATION

Jaipur, October 25, 1957.

*No. D.12005/F. 14 (9) Ind (A)/57.*—In view of Rule 2 (c) of the Rajasthan Weights and Measures Rules, 1956 the Government of Rajasthan is hereby pleased to appoint Deputy Director, Industries (Headquarters) as Superintendent, Weights and Measures, Rajasthan.

By Order of the Governor,

A. K. ROY,

*Secretary to the Government.*

*Published in Raj. Raj-patra Dated September 30, 1958 part (c) :*

# INDUSTRIES (A) DEPARTMENT

## NOTIFICATION

Jaipur, September 30, 1958.

*No. D. 12791/Jr 23 (3)/ Ind. (A)/58.*—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Weights & Measures (Enforcement) Act, 1958 (Act No. 32 of 1958) the State Government hereby appoints the 1st day of October, 1958, as the date on which the provisions of the said Act in so far as they relate to units of mass shall come into force in respect of transactions involving sale and purchase of goods in the districts of Ajmer, Bikaner, Jodhpur, Jaipur, Kota and Udaipur.

By Order of the Governor,

A. K. ROY,

*Secretary to Government.*

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*Rules and Notifications under*

WEIGHTS & MEASURES (ENFORCEMENT) ACT, 1958.  
[ RAJ. ACT, No. 32 OF 1958 ].

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# The Rajasthan Weights and Measures (Enforcement) Rules, 1959.

Industries (A) Department  
NOTIFICATION

*Jaipur, September 17, 1959,*

No. D. 8842/59-F. 23(11)I/A. 58—In exercise of the powers conferred by section 42 of the Rajasthan Weights and Measures (Enforcement) Act, 1958 (Rajasthan Act No.32 of 1958), the State Government hereby makes the following Rules, the same having been previously published in Rajasthan Gazette, Part III (B) dated 30/4/59.

These Rules shall come into force with immediate effect.

1. *Short title.*—These rules may be called the Rajasthan Weights and Measures (Enforcement) Rules, 1959.

## *Notes*

Rajasthan Weights and Measures (Enforcement) Act, 1958 has been enacted with a view to provide for the enforcement of standard weights and measures and for matters connected there with. Sub-section (1) of section 42 of the Act authorises the State Government to make rules for carrying out the purposes of the Act. Such rules shall be subject to the conditions and previous publication in the Official Gazette and of having been laid before the State Legislature. Without prejudice to the generality of the rule making power, rules under section 42 of the Act are required to provide for the following matters :—

(a) the material of which and the designs and specifications according to which working standards may be made, the agency by which such standards may be prepared, the person by whom or the authority by which and the manner in which such standards may be authenticated; the places at which and the custody and manner in which such standards may be kept;

(b) the procedure for the verification or re-verification and marking of working standards, the persons by whom, the places at which and the intervals at which, they may be marked;

(c) the material of which and the designs and specifications according to which secondary standards may be made, the places at which and the custody and manner in which such standards may be kept;

(d) the procedure for the verification or re-verification and marking of secondary standards and the manner in which they may be marked;

(e) the number of weighing and measuring instruments to be kept, the manner in which they may be verified and stamped and necessary particulars regarding the same;

(f) the manner in which commercial weights and measures may be marked by manufacturers;

(g) the form and manner in which, and the conditions subject to which licences may be granted to persons for manufacture, repair or sale of commercial weights and measures and weighing and measuring instruments;